

House Education Committee

Minutes
2005



MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 12, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet with presenters highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 9:05 a.m. with a quorum present.

ORIENTATION: Chairman Barraclough welcomed members to the House Education Committee. He emphasized that this was an important time in education wherein they needed to preserve the good parts of education and strengthen the areas that needed changes. He submitted the great strides of the committee last year with charter school legislation, alternative teacher certification, ISAT rules, the Idaho reading indicator, and fair funding for the virtual academy. He was proud of the issues passed by the House Education Committee.

He invited those who believed that education needed no changes to please come visit with him as changes were vital. He noted national studies on education: generally fourth graders ranked in the upper one-third; eighth graders about mid-range; and twelfth graders in the lower one-third.

To support and further strengthen education, he believed that the question was not only money but performance. What happened in the classroom and what the students were learning were paramount. He remarked on two camps that evolved last session: one, the Senate Education Committee with the State Department of Education and Idaho Education Association; and two, the House Education Committee, the Governor's Office, the State Board of Education, Idaho Association of Commerce and Industry (IACI), House and Senate leadership, and the Joint Finance and Appropriation Committee (JFAC). Chairman Barraclough thought this division was crazy and dissuaded committee members to continue this approach.

He proclaimed the will of the legislature was to improve education and not just throw money at it. He remarked that an 8.4% increase in educational funding may be more like 3-4%. Last year, \$5M was saved in bus transportation and was redirected into technology. Thus, he encouraged the committee to look for ways to improve educational spending. In another study, the Joint Legislative Oversight Committee showed that

non-classroom administrative costs in K-12 education increased double over every other parameter. Yet a school in District 25 saved \$3M in administrative costs and went from accounting figures deep in the red to black while getting good educational results.

Chairman Barraclough reminded the committee that budget dollars were stretched by four major budget expenses: K-12 Education; Higher Education; Health and Welfare with Medicaid; and Corrections. The legislator's task was how best to distribute the money. He would like this committee of eighteen legislators to sense the responsibility and opportunity to improve education in Idaho.

He commented, "Why was IACI involved in education?" He explained that many high school graduates were not prepared for work. They need remedial school work. Higher education was disappointed in K-12 as more students need remedial education while higher education budgets were cut. He quoted his campaign slogan: choice and accountability in education.

He noted that the room was filled with powerful, wise people who could influence the process. He welcomed them all to form a team removing selfishness and fear. He remarked about a letter from a constituent that presented fear tactics to influence the election of legislators who stood for change in education. He affirmed that he would resist such tactics for this committee.

Representative Kemp supported his position to remove the "bully" approach with adults in education and work together to support Idaho students.

Chairman Barraclough threw down a "steel fist with a velvet lining" in that he was willing to work with everyone to accomplish these goals. He wished to run an open, fair committee and promised not to lobby his committee members. He hoped not to condemn or criticize ideas and encourage all participants to do the same. Next, he invited each committee member to share their backgrounds and goals for education.

Chairman Barraclough began by explaining that he had served in the navy, graduated in engineering and hydrology from University of Idaho, worked 35 years as a hydrologist and was first elected to office 13 years ago. He had served on the Education, Resource and Environmental Affairs, and JFAC. He had also served on national committees on environment, energy and science, National Conference of State Legislators, radio-active waste committees, Pacific Fisheries Management Council, trustee on petroleum storage tank-clean water board, and co-chairman of Environmental Common Sense Committee. Concluding, he expressed his commitment and passion for improvement in education.

Vice-chairman Rydalch expressed pleasure in serving on this committee. She had worked at INEEL and U.S. Department of Energy. She served seven years on the Idaho senate and taught high school and college classes. She recalled praying that high school students who came to her classroom could read, but she often got students who could not read at that level. This made her realize that the educational system needed changing. She also issued a challenge to the committee, school

boards, educators and parent-teacher organizations to concentrate on teen suicide. She hoped they could synergistically work to reduce teen suicide in Idaho.

Representative Trail spoke of high interest in education having grown-up in Moscow and attending University of Idaho. He attended graduate studies at University of Maryland and Montana State University. He had worked on overseas education projects and taught for 24 years at Washington State University. He continued to serve as an educational consultant. As a legislator, he had served on Commerce and Human Resources, Agricultural Affairs and Education committees. He was a strong advocate of public education and expressed admiration of the Moscow Charter School and its success in offering choice and accountability.

Representative Bradford described the great teachers and staff in his area. He had served in the military, managed the family mink farm, worked in private business and served as a county commissioner as well as the state legislature. He recalled visiting a young man at the Idaho State Penitentiary who said his greatest need was for more education. He also talked about the need for education in poverty areas of Idaho, and his desire to see more people attend local school board meetings.

Representative Block explained that she represented an urban/rural mix. She was a K-4 teacher, business owner and mother. She was convinced that the family was *the* most important part of education and that education was the answer to many problems in our society, namely health, welfare and prisons. She felt that better education equaled better lives.

Representative Cannon briefly noted that he was pleased to serve on this committee.

Representative Nielsen expressed his pleasure to serve a second term on the House Education Committee and remarked that as a parent of eight, he never missed a school activity with his children. He asked to hear all aspects and groups regarding education and promised to do his best to choose the best solutions.

Representative Shirley noted that he was new to this committee, yet he brought to the table a career educator's perspective having taught in elementary to college classrooms and served as an educational administrator. He noted his pride in seeing his former students now teaching classes of their own. He hoped to bring unity and understanding among the committee members and people working for education in Idaho.

Representative Wills described using ventriloquism in the classrooms and acclaimed the power of laughter in learning. He had worked as a law enforcement officer. This was his first year on the House Education Committee. He affirmed the need to dismiss "camps" and work cohesively.

Representative Nonini acknowledged his freshman status on the

committee. He noted many options for education today: traditional public school; alternative high schools; charter schools; home schools; private schools and virtual schools. Yet 90% of school were still public schools. He commented on the importance of an educated workforce to business and stated that he was an extreme fiscal conservative, sympathetic towards teachers demands and believed that education started at home.

Representative Kemp held a business degree and taught English as a second language. She noted that education was where it all began for successful employment and life. Her goal was to listen and learn, and she hoped to make Idaho's educational system the best it can be,

Representative Henderson, a former technical writer and reporter, talked about serving as mayor and county commissioner. He also worked as an economic consultant in Eastern Europe and Russia,. He talked about the social virtue and prominence of learned people in Hungary. He noted that economic development was supported by varied, quality education. He affirmed Chairman Barraclough's goal of accountability and choice.

Representative Mathews talked about the need for children to be prepared for the future and the importance of parental involvement. He encourage all to work to stamp out misinformation, be innovative, and raise the bar for educational achievement. He commented on the need for more positive press regarding education in Idaho and the need to solve problems with the resources between our ears, not just with more money.

Representative Chadderdon recalled graduating in a class of sixteen students and learning in a one-room school. She drew a comparison between doctors and teachers: the former cared for the body; the latter the mind. She hoped that education in Idaho would not be a partisan issue, and she agreed with Representative Rydalch that warning signs of teen suicide needed to be available in all schools.

Representative Shepherd talked about raising nine children and being involved in a two-room school in rural Idaho. He stated, "What our schools teach is what our society becomes."

Representative Pence explained that she represented nine school districts spanning the wealthiest to the poorest. She had taught in public schools for 20 years. She remarked that Idaho schools served us well, but could be better, especially vocational-technical training.

Representative Mitchell served in the Navy and after graduating from the University of Oregon worked in journalism and advertising. He entered public service in 1968 and served on JFAC for 10 years. He also served on the State Board of Education, as chief-of-staff for Governor Andrus, and many other committees and boards. His objective was to watch the roles of the school boards and superintendents.

Representative Boe commented about serving in "great humility" on this committee. Growing up in New Mexico, she learned firsthand how it felt to not speak the language of your peers. She noted that low property tax base made it difficult for schools in her district. She said that the children

were strong in math and science, yet weak in English and social studies. She entered politics on the Pocatello city council, then served as mayor and was now in her ninth year as a representative.

She agreed with the changes in education over the last few years and hoped to hear all perspectives with respect and not take personal affronts. She noted the need for access to all information before discussion in committee and hoped to find better policies for Idaho education.

Chairman Barraclough noted the talent on this committee. He asked the guests in the room to share ideas with low-scale lobbying. He expressed regret in losing Karen Daniels, the committee secretary of five years, and turned to welcome the new secretary, Kathy Ewert, and page for the first half of the 58th session, Jill Page. Both gave a brief synopsis of their backgrounds for the committee. He then reviewed protocol in the committee room and asked Representative Rydalch to chair the review of administrative rules.

Representative Rydalch divided the committee into two subcommittees for administrative rules review as follows:

Subcommittee #1 members:

Rep. Rydalch - chair
Rep. Bradford
Rep. Cannon
Rep. Shirley
Rep. Chadderdon
Rep. Henderson
Rep. Nonini
Rep. Boe
Rep. Pence

Subcommittee #2 members:

Rep. Nielsen - chair
Rep. Trail
Rep. Block
Rep. Wills
Rep. Kemp
Rep. Mathews
Rep. Shepherd
Rep. Mitchell

PRESENTATION: Next Chairman Barraclough introduced Karen Echevarria, Idaho State Board of Education, to summarize the rules before the committee.

Karen Echevarria gave a brief overview of the rule-making process and summarized the rules before the committee as follows by docket numbers and topics.

Docket #08-0301-0401 Alcoholic beverage use on public university campuses

Docket #08-0202-0402 Alternative teacher certification guidelines (Ms. Echevarria noted that this rule may have opposition.)

Docket #08-0202-0403 Standards for Idaho school buses

Docket #08-0202-0405 Professional standards for teachers

Docket #08-0202-0406 Commercial driving schools (Ms. Echevarria gave

some background on the development of the commercial driving schools rule and noted that this was a contentious rule to some.)
Docket #09-0202-0407 Public driving schools manual
Docket #08-0202-0408 Accreditation standards
Docket #08-0203-0409 Professional standards for out-of-state teacher preparation programs
Docket #08-0203-0401 First year limited-English proficiency student testing requirements
Docket #08-0203-0402 Clarify district/LEA sanctions for failing to meet Adequate Yearly Progress under the federal law
Docket #08-0203-0403 English language proficiency standards
(Representative Nielsen inquired if there was any opposition on this rule. Ms. Echevarria answered that there was none.)
Docket #08-0203-0404 clarify the Distinguished Schools Award criteria

Representative Cannon asked if the subcommittee had the authority to decide rules? Chairman Barraclough explained that the subcommittees made recommendation to the committee as a whole who voted on approval/disapproval of a rule.

Representative Boe inquired about visiting school this session to which Chairman Barraclough noted plans for visit Owyhee Elementary in Boise as well as other schools. He also alerted the committee about four RS's, which they would hear next week.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the committee at 11:15 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION SUBCOMMITTEE #1

DATE: January 17, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Rydalch, Representatives Bradford, Cannon, Shirley, Chadderdon, Henderson, Nonini, Boe, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Representatives Trail, Nielsen, Kemp, Mathews, and Mitchell. Please refer to the sign-in sheet for other guests and presenters. (Presenters are highlighted.)

CONVENE: Chairman Rydalch called the meeting to order at 9:02 AM. She reminded the committee that rules needed to be completed by the end of January. She encouraged the members to talk with people in their districts to ensure that the rules met their needs. She welcomed members present from Subcommittee #2.

**DOCKET NO.
08-0108-0301** **Alcohol on Public College/University Campuses**

Karen Echeverria, Office of State Board of Education (OSBE), noted this was the alcohol policy adopted last year by the OSBE. This rule governed the possession, sale and consumption of alcohol on state college / university campus grounds as well as facilities owned, leased or operated by the college / university. The old rule required an OSBE waiver to have alcoholic beverages on campus. This rule would grant the president of the institution authority to issue permits for such activities under certain conditions, i.e. within a confined area, age 21 for consumption, and non-alcoholic beverages and food must also be served. The board received no comments on the rule and recorded no outstanding issues.

Rep. Mitchell asked if this would be on any university-owned facility either on or off campus? Ms. Echeverria agreed that it would apply to any facility as long as the facility were owned by the university. Rep. Mitchell then asked if fraternities and sororities were owned by the universities? Ms. Echeverria said some facilities and land were owned by the fraternity or sorority. However, thus far, these groups were complying with this State Board policy. Rep. Mitchell then asked if those facilities could serve alcohol? Ms. Echeverria said if a permit were requested from the university president, then it would be so granted to the fraternity or sorority.

Rep. Nonini asked if the sellers of the alcohol would be 21 years of age? Ms. Echeverria agreed that licensed vendors and servers would be required.

Rep. Boe asked how would the age limit be patrolled? Ms. Echeverria

said that everyone allowed in the confined area must show proof of age to be admitted.

**DOCKET NO.
08-0202-0402**

Alternative Teacher Certification

Ms. Echeverria referred to the rule about computer-based alternative teacher certification route. The federal No Child Left Behind Act required that all teachers in public schools be highly qualified by the 2005-06 school year. Traditionally, districts would grant a waiver to use a consultant specialist in classrooms when certified teachers could not be hired. Currently over 200 consultant specialists taught in Idaho schools. This alternative route for certification would be effective in 2006. This rule would satisfy the requirements of the federal act. These rules were the same as last years temporary rules and had been reviewed again during multiple public meetings this year.

Rep. Mitchell questioned the role of the Department of Education in crafting the rules? Ms. Echeverria affirmed the department's participation and said the rule was amended based upon their suggestions after the last review meeting.

Rep. Trail noted other states having adopted alternative certification guidelines and commented that some of his previous questions remained unanswered regarding the ABCTE model of certification. Further, over time he questioned the reliability of ABCTE-certified teachers in the classroom? Ms. Echeverria apologized for the lack of reply and would answer as soon as she received a copy of the questions.

Rep. Shirley inquired if the ABCTE candidates had to demonstrate their teaching skills in a classroom setting? **Allison McClintick**, OSBE, responded that the alternative route was a computer-based method and currently the only model available to them. She commented on a new \$3M "transition to teaching" grant to facilitate alternative certification in Idaho. She said that ABCTE did use on-line video trials with candidates and master teachers cooperatively working in a classroom with students.

Chairman Rydalch wondered if the final decision for hiring laid in the school board's hands? Ms. McClintick answered affirmatively.

Rep. Boe asked what was structured mentoring and who paid for it? Ms. McClintick said ABCTE provided mentors or second year teachers, and the candidate paid the fees.

Rep. Trail inquired if this rule applied to charter school: Yes.

Rep. Cannon wondered how this alternative would influence traditional teacher education programs? Ms. McClintick said this route was never intended to replace the university route, yet the schools needed a way to bring current special instructors in the classroom into compliance with the "highly qualified" clause of the No Child Left Behind Act.

To date, this route enabled principals to qualify individuals who had demonstrated teaching ability as special teaching consultants, such as community experts to teach in rural areas, secondary teachers to transfer

to the elementary classroom, charter schools to secure unique content experts, or add content area for an existing certified teacher.

Rep. Shirley inquired about verifying the content expertise? Ms. McClintick said that teacher's presently took an examination in their areas of proficiency. Also, the school administrator had the final decision on employing alternatively certified teachers in the classroom.

Rep. Pence asked how an individual solicited alternative certification? Ms. McClintick said the candidate would take a self-assessment test to define the areas of deficiency and would be required to enroll in college courses to remove any deficiencies.

Rep. Trail inquired about the drop-out rate from the profession for alternatively certified teachers versus the normal college educated teacher? Ms. McClintick had no information, but mentioned a study at Arizona State University regarding mentoring being vital to alternative certification.

Kathy Phelan, IEA, affirmed the need for training how to teach and questioned the alternative certification route to adequately train teachers for classroom discipline, interaction and communication. She said mentoring was completed "over the phone" and not applied to all areas. On behalf of IEA, she asked for practice time in a classroom before certifying using the ABCTE method and stated that the association supported other alternative routes. This route did not work.

**DOCKET NO.
08-0202-0406**

Commercial Driving Schools Manual

Ms. Echeverria summarized the lengthy public comment and review period for this revised rule. To her knowledge, only section 1.8 regarding "content standards and benchmarks" was questioned. Presently, the manual for public schools driver education was in place for public and commercial schools. This was an effort to address unique conditions of the commercial schools.

Dallas Forester, a commercial driving school trainer, said he opposed this rule for he believed it violated the equal protection and benefit under the Idaho Constitution. He felt that one standard should apply to all types of driving schools and objected to the OSBE controlling the commercial driving schools. Mr. Forester submitted documents regarding the regulation of Oregon and Washington driving schools.

Rep. Henderson asked what issues were a problem? Mr. Forester said the monitoring of commercial schools was more intense than public schools and the certification standards were not the same.

Rep. Kemp asked the OSBE for comment? Ms. Echeverria said that there was significant difference between the two manuals because the commercial schools originally objected to the manual utilized by the public schools. If the committee rejected the rule, the standard would revert to the 1996 manual and there would still be inequity between the two groups.

Chad Arnell, a commercial driving school trainer, welcomed governance, but wanted fair, unbiased standards that did not place their competitor into the chair of authority over the commercial programs. He asked the committee to reject this rule and solicit a rule that would be governed by Idaho Department of Transportation (ITD) or the Idaho State Police (ISP) instead of the State Department of Education (SDE) under the OSBE.

Rep. Mitchell asked if the SDE or OSBE adopted these rules? Ms. Echeverria said only the OSBE had the authority to adopt rules, but the SDE enforced them. Of course, both governing entities along with representatives of several commercial driving school participated in this rule making process.

Rep. Kemp asked which rule was more strict? Ms. Echeverria could not answer, but referred to Docket No. 08-02020407 that also needed approval for public driver training schools.

Mike Arnell, Certified Fraud Examiner, was opposed to the rule making process for this rule. He objected to two standards as well as OSBE having governance. He suggested ITD or ISP. Chairman Rydalch suggested such a change required legislation and encouraged Mr. Arnell to seek resolution by presenting a bill to a committee.

Mike Ryals, commercial driving school representative, explained his involvement in the rule making process as well as his frustration with not receiving documents until the final rule. He felt the standards and benchmarks took away his individual authority as an instructor by micro-managing his business. He asserted that Dave Leroy thought the rule-making process was flawed (a legal opinion letter by Dave Leroy was supplied to the committee).

Dave Eiguren, president of the Association of Driver Educators, claimed the driving school manuals read like an employee manual. He objected to the OSBE and SDE having such control over a private business. He described delays in licensing that reflected the standards and benchmarks and about ever changing standards. He also objected to the rule that in effect audited his business during re-licensing. He said that commercial schools were only one-third of the schools, yet they received two-thirds of the audits in Idaho. He strongly objected to one individual in the SDE who "ran" the driver education programs for public and commercial schools. He requested the whole rule be put on hold!

JoLynne Cavener, a Meridian commercial driving school representative, objected to the rules for the past two years. She too objected to a one person governance over the driving schools and the lack of voice in the rule making process. She thought the SDE did not communicate with commercial schools adequately and disliked the five-year licensing requirement for commercial schools.

Rep. Henderson questioned the mention of an attorney's view that the rule making process was unlawful. **Dave Leroy**, Attorney at Law, testified that he was asked to check section 1.8 in this rule. He felt that section referring to content standards were not developed following IDAPA rule making procedures because of their incorporation by "reference." He

provided a copy of his opinion in writing, which is attached here with.

Rep. Kemp reminded the committee that administrative rules review did not need to review all policies and manuals included in the rule.

Rod McKnight, Department of Education Transportation Supervisor, remarked on the controversial nature of this rule and noted that the department would not object to ISP or ITD taking oversight. He felt that the rule-making process had been followed appropriately.

The two subcommittee chairs conferred and agreed to allow subcommittee one to continue their hearing and allow subcommittee two to meet later.

Beth Weaver, Driver Education Specialist for the Department of Education, testified about the difficulties in developing this rule. To her knowledge, the Washington state method of oversight also had problems and Oregon used one agency to govern both public and commercial driving schools. She remarked that many comments on the rules were vague and many differing ideas were presented by the commercial driving schools. She was unaware of the problems with the content standards and benchmarks. She said that these guidelines were not new and that they were approved by ISP as well as satisfying national guidelines. She informed the committee that Montana admired Idaho's rules regarding driver education schools and even duplicated them.

Rep. Shirley inquired if the public schools were concerned about micro-management. Ms. Weaver did not think so.

Rep. Mathews asked about the lack of notification claimed by the commercial driving schools during rule making. Ms. Weaver believed adequate notification was used through web postings and copies provided.

Chairman Rydalch wondered about the role of SDE related to the public driving schools and the commercial driving schools. She also questioned if the APA process had been circumvented by using the word "guidelines" in the rule. Rep Nielsen referred to a pending rule before his subcommittee Docket No. 08-0202-0407 about the public driving schools manual. A discussion followed to understand the implementation dates for both schools to be November 12, 2004 if these two rules were approved.

ADJOURN: Chairman Rydalch adjourned the subcommittee at 11:10 AM.

Representative Ann Rydalch
Subcommittee Chairman

Kathy Ewert
Secretary

Representative Jack Barraclough
Chairman

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 18, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Rep. Rydalch and Rep. Block

GUESTS: Dr. Tim Hill, Department of Education, and guests as listed on the attached sign-in sheet

CONVENE: **Chairman Barraclough** welcomed the committee and convened the meeting at 9:00 AM.

MINUTES: **Rep. Wills** moved to accept the minutes of January 12 with one modification on page 3. The minutes as amended were approved by voice vote.

PRESENTATION: Chairman Barraclough advised the committee that education was the largest component of the state budget. He noted that the Department of Education proposed \$80M more this year, whereas the Governor recommended \$34M more. He asked the committee to assist JFAC in wrestling with the allocation of funds. He then introduced Tim Hill, Department of Education, to explain the equity funding formula used in Idaho to distribute funds.

Tim Hill, Bureau Chief of Public School Services, Department of Education, defined \$2.18M FY2005 general fund dollars of which over 40% was for K-12 education in Idaho. He explained the JFAC appropriation generally was less than revenue to allow for unexpected budget expenses during the year and that education accounted for approximately 60% of the state budget. Looking at the nearly \$500M per year in tax revenues, he noted the percentages from individual income tax, sales tax, corporate tax and all other revenue. He showed trends in educational spending in which public school spending had dropped about 3% where as Health and Welfare grew by about 4% and public safety increased by over 3% over the past ten years. He expressed concern that revenue and appropriations were out-of-balance with the use of one-time moneys and tax rate changes.

Mr. Hill demonstrated charts of general maintenance and operations expenditures by budget object from FY2003 with 85% of each dollar being spent on salary and benefits in education. He noted that education was basically a service industry accounting for this allocation. He then discussed public school staffing expenditures by full time equivalent and dollars explaining that the classified staff consisted of many part-time

employees combined to sum a full time equivalent. He stated that in FY2004, school districts hired 14,003 instructional, 1,272 student services, 724 school administration and 375 district administration full-time equivalent staff.

Next, Mr. Hill described the State Board of Education's rules regarding teacher/student ratios at each grade level and staffing for specialized educational classroom. He noted three classes of staff: instructors / teachers, administrators and support staff. Next he reviewed rules governing administration in public schools, ch. 1, 08.02.01 which explains the minimum instructional time per grade level. He noted that kindergarten required fewer hours than 9-12 and at-risk students instructional time was counted by the hour of attendance for funding purposes. From this he explained the apparent diversity among school districts in staffing ratios based on student population, who was being taught, and who was hired to teach.

He explored the variance in district attendance days and how each adjusted the days to meet the attendance standards. He explained the computation of support units using average daily attendance and formulated attendance divisors. Next, he delved into salaries based on experience and education multipliers ("steps and lanes") and the state's full funding of the minimum base salary of \$27,500. Using the average daily attendance, salary multipliers, and statewide averages, he illustrated a hypothetical average elementary and secondary personnel budget.

On the revenue side, Mr. Hill showed the distribution of local property tax / replacement tax and state funding in education. This equalization accounted for adjusted market values and how they impacted state funding to a district. He noted that some expenses were not included in this equalization, such as bus transportation and maintenance.

Next, Mr. Hill broke out the FY2003-04 and FY2004-05 K-12 appropriations by appropriation source, total revenues, support units, equalization and the distribution factor for discretionary dollars. He explained "angel money" as a pool to be used if there were a shortage in revenue or savings if an overage. He also explained the timing of distributions of educational dollars in 5-6 payments during the year. He noted that the August, October and November distributions were based on prior year attendance data which could negatively impact a school district if enrollment deviated. He then illustrated a sample school budget and how a ration of the total state budget was calculated for each school district.

Rep. Mathews inquired if the department had any demographics on population shifts? Mr. Hill said they did not keep census data, but their student attendance data mirrored population shifts.

Rep. Boe announced a Joint Legislative Oversight Committee report on technology in schools to be held on Thursday, January 20, on the second floor of the Borah Building.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned at 10:27 AM.

Representative Jack Barracough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 19, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Chairman Barraclough

GUESTS: Dr. Robert Kustra, President at Boise State University, and other guests, as listed on the attached sign-in sheet, were present. (See presenters checked or highlighted on the attached sign-in sheet.)

CONVENE: **Vice-chairman Rydalch** called the meeting to order at 9:03 AM. She announced a meeting for subcommittee #2 on Thursday and no meetings for either subcommittees or the committee as a whole on Friday.

PRESENTATION: **Dr. Robert Kustra** proclaimed this year to be a great one for Boise State University (BSU) not only in football, but in academic development and collaboration among all public institutions of higher education in Idaho.

He introduced his staff in attendance and efforts for BSU to go "Beyond the Blue"—a mission to improve academic quality in program offerings, faculty, and quality of students. He asserted that it was not enough for BSU to be just an undergraduate institution. The addition of graduate and research programs helped draw and retain higher caliber professors. He described a retention task force at BSU that was trying to identify why 35-40% of freshman students left school. He hoped to rescue these at-risk students by providing programs that served their needs better.

Dr. Kustra explained the funding balance at BSU of one-third each from the state, students and donors. He spoke of soliciting research-quality faculty through endowed share professorships. During the past year, BSU had generated research funding of nearly \$21M, such as in study of breast cancer and Alzheimer's Disease.

To attract good students, Dr. Kustra described the Capital Scholars Program which would offer \$1,000 scholarships to top high school juniors who would attend BSU. He also unveiled plans to make BSU a national merit scholars institution using funds from the sale of the donated university presidential residence.

To address the less academically qualified students, Dr. Kustra proposed BSU supporting a southwest Idaho community college. This effort would begin with BSU offering community college-type classes at its West Campus in Nampa focusing on a technical curriculum and English as a second language. Later this program would separate using state and

donor funding as it expanded its community college offerings.

Turning to business needs in the metropolitan area, BSU would offer an Executive MBA next fall. This program would offer non-traditional hours and days for classroom instruction as well as utilize computerized education.

Dr. Kustra emphasized the importance of honesty in pricing regarding tuition and fees. Since higher education used both to help finance instructional time, he felt that all charges should be simply classified as "tuition." In the same breath, he asked the legislature to give the universities flexibility in utilizing funding.

Rep. Trail inquired about salary considerations for the "worker bees" (staff) at BSU? Dr. Kustra noted that the classified staff served two masters: the State and BSU. He informed them of non-dollar resolutions on campus that were improving classified workers' morales. He stated that last year, BSU added 2% to their employee salaries taking the funds from other appropriated dollars, and they moved some employees to policy salary levels. He said that he was proud of their classified staff and were endeavoring to continue improving their work conditions.

Rep. Boe asked if the proposed community college would offer remedial classes and how the university planned to finance the programs? Dr. Kustra explained a two-year transfer credit program at the community college campus. To lower instructional costs, they planned to employ a cost-center approach where non-doctoral faculty and community workforce experts would be teaching.

Rep. Boe then inquired if county dollars would be used? Dr. Kustra answered that once established, the community college would not be funded with property tax dollars, but with student, state and outlying area revenues.

Vice-Chairman Rydalch questioned if the curriculum would enhance the high school professional-technical programs? Dr. Kustra explained efforts to link with the Boise School District's vocational-technical school and possibly take advantage of land adjacent to that campus for the community college vo-tech program. He added that he saw the proposed community college not as a single brick-and-mortar institution, but as a distributed campus, a collage of facilities in various location. He also foresaw the community college also offering junior and senior college-level classes as an extended campus to the university.

Vice-chairman Rydalch further inquired about efforts to integrate science, technology and research into the private sector? Dr. Kustra replied that the three Idaho universities had received a \$16,000 biomedical research grant that would facilitate this effort. He supported the Governor's efforts to get research and technology transferred to Idaho economy.

Continuing, Vice-chairman Rydalch wondered about using federal money to feed commercial efforts? Dr. Kustra felt that the university should help entrepreneurs to market products.

Rep. Nielsen wanted to know about computerized math and if the

university would be enlarging that curriculum? Dr. Kustra said that was a priority because the courses were so successful. Unfortunately, the university had limited funds to purchase the equipment.

Rep. Cannon spoke of a discussion with student who described incurring over \$20,000 debt to graduate from college. He asked if it were possible to lighten this financial load? Dr. Kustra agreed that it was the student's responsibility to fund their own education for they were the beneficiary of this investment. The university would help those with marginal economic capabilities. He then raised the question of increasing educational costs losing more students who may opt for short-term paychecks.

Rep. Mitchell inquired if donor dollars were included in the funding formula used by BSU? Dr. Kustra explained that the donor third-leg of BSU funding did include research and grant funds as well. He also explained that the undergraduate and graduate programs were combined in their student funded figures.

Rep. Kemp questioned if BSU was asking for a constitutional amendment to grant certain spending latitude to the university? Dr. Kustra replied that they originally thought to do so, but they believed statutory changes would suffice.

Rep. Shirley probed into the growing length of time to graduate from college? Dr. Kustra responded that they hoped to explore this problem in a retention task force. This task force would investigate ways to solve retention problems. He suggested increasing the full-time credit hour minimum to 12 credit hours to shorten "through-put time." He also talked about changing the undergraduate culture on campus by teaching more evening and weekend courses. He acknowledge that despite these efforts, some students required more years to graduate due to work and family obligations.

Rep. Nielsen inquired if incoming freshmen were adequately prepared for college-level courses? Dr. Kustra noted that some needed remedial math. To remedy this deficiency, he suggested requiring a fourth year of math or, at the least, math during the senior year to keep students prepared for college math demands. He suggested modifying the graduation requirements or using on-line math courses.

Rep. Mathews wondered how well the university addressed medium-sized business needs in Idaho? Dr. Kustra explained course offerings at various business locations to satisfy specific business functions. One such example was BSU and local hospitals providing clinical practice for nurses.

Rep. Pence inquired about use of advanced placement credit at BSU? Dr. Kustra said the university favored advanced placement studies in high school to help accelerate students through college. However, he acknowledged that many rural schools had difficulty offering these courses.

Dana Kelly, Office of the State Board of Education (OSBE), explained the time factor problem and variance in requirements between teacher / nurse contracts as well as the need for Eastern Idaho Technical College (EITC) to be included. She noted how this RS would amend the statute to maximize contracts by bring consistency between the teacher and nurse contracts and adding EITC.

MOTION: **Rep. Cannon** moved to introduce RS14400C2. Rep. Shirley second the motion. The motion carried by voice vote.

RS14406 Higher education policy re employee removal

Karen Echeverria, Office of the State Board of Education, described how this RS would bring all state institutions of higher education under the same guidelines for removal of an employee.

MOTION: **Rep. Mitchell** moved to introduce RS144406. Rep. Trail second the motion. The motion carried by voice vote.

RS14448 Dana Kelly, OSBE, described the proposed statute amendment for the "Freedom Scholarships" making them more like the scholarships for dependents of public safety officers and authorizing the OSBE to review applications for both scholarships.

MOTION: **Rep. Cannon** moved to introduce RS14448. Rep. Mathews second the motion. The motion carried by voice vote.

RS14509 Harvey Lyter, Superintendent at Idaho School for the Deaf and the Blind (ISDB), described a statutory problem with salaries and benefits for the non-classified employees and how this RS would enable the institution to more efficiently use year-round pay schedules for all its employees. He noted support for this RS by DFM, SCO, OSBE and ISDB and explained that their would be no changes to the institution's budget.

MOTION: **Rep. Mitchell** moved to introduce RS14509. Rep. Shirley second the motion. The motion carried by voice vote.

ADJOURN: There being no further business before the committee, Vice-chairman Rydalch adjourned at 10:57 AM.

Representative Ann Rydalch
Vice-chairman

Kathy Ewert
Secretary

Representative Jack Barraclough
Chairman

MINUTES

HOUSE EDUCATION SUBCOMMITTEE #2

DATE: January 20, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Subcommittee Chairman Nielsen, Representatives Trail, Bradford, Chadderdon, Henderson, Kemp, Mathews, Shepherd (8), Mitchell, Pence

**ABSENT/
EXCUSED:** Rep. Wills

GUESTS: Please see attached sign-in sheet with presenters highlighted.

CONVENE: Subcommittee Chairman Nielsen called the meeting to order at 9:02 AM and announced the library display in the rotunda. He encouraged the members to openly hear all testimony for the rules.

**DOCKET NO.
08-0202-0403** **Standards for Idaho School Buses**

Rodney McKnight, State Department of Education (SDE), described a study by the Office of Performance Evaluation and how this rule would clarify language in the rules to standardize and eliminate contradictions in the former rules. During rule making, he noted no objections to this rule and support by the Office of the State Board of Education (OSBE).

MOTION: **Rep. Kemp** noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

Subcommittee Chairman Nielsen moved Docket No. 08-0202-0407 regarding Public Driving Schools Manual to the end of the agenda.

**DOCKET NO.
08-0202-0405** **Professional Standards for Teacher**

Patty Toney, SDE, explained the exclusion in this rule of the special education teacher standards and asked the committee to approved these revisions, which align the standards with best practices in the industry.

The subcommittee inquired if this was an incorporation of standards by reference denoted by date? Ms. Toney replied affirmatively.

MOTION: **Rep. Pence** noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

**DOCKET NO.
08-0202-0408** **Accreditation of public schools and districts**

Jana Jones, SDE, noted these rules eliminated the four accreditation options currently in Board rule and made all schools and districts meet the same high standards of state accreditation. In this rule, districts would be required to develop and implement district-wide strategic plans and

schools to develop continuous school improvement plans. Each would align and focus on improving school and staff capacity to increase student achievement. Both would be required to report progress and attainment of the plans and standards.

A lively discussion followed exploring the following:

1. *Was the Board intending to require a national accreditation?* The accreditation relied upon the school plan that would employed universal standards, such as the Northwest Accreditation Standards. Schools might also independently apply for the Northwest Accreditation Standards certificate when they satisfied six parameters in the school.
2. *Was there an estimated cost to school and districts to produce their plans?* At that time, there were no projected costs as they allowed the schools/districts to develop their plans in various ways.
3. *Were some schools already working on their plans?* Yes, they were developing plans under a 10-year cycle which would change to 5 years. The accreditation commission would also facilitate these plans with reviews and comments.
4. *Who would provide nominees for the review commission?* The State Department of Education would present names to the Board for approval.

Rep. Mitchell suggested that it would be beneficial to add who would be responsible to nominate accreditation committee personnel.

5. *What was the overall goal of this rule change?* Focusing on student achievement was the main goal as achieved through adjustments in the learning environment and academic progress.

Subcommittee Chairman Nielsen remarked that he was concerned about high school graduates entering college needing remedial preparation. He was interested in Dr. Kustra's recommendation to have four years of math or have a required math class during the senior year. He hoped the OSBE would consider such a criteria for graduation.

Rep. Trail agreed and noted the need for improved reading skills as well.

MOTION:

Rep. Shepherd noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

**DOCKET NO.
08-0202-0409**

Clarify payment responsibilities for conducting both in-state and out-of-state teacher preparation program reviews

Patty Toney, SDE, described reviewing these rule changes with neighboring states, college deans and the OSBE. She said the cost of travel out-of-state was becoming prohibitive for the Professional Standards Commission to bear. Therefore, in this rule the Commission would pay for in-state reviews while out-of-state reviews would be paid by the institution seeking certification.

MOTION:

Rep. Trail noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

DOCKET NO.

Public Driver Education School Manual

08-0202-0407

Beth Weaver, State Department of Education, noted the following changes in this pending rule:

- Change number citations to bullets
 - Clarify content standards and benchmarks to meet Idaho State Police approval
 - Define what public schools must do to offer driver education
 - Adjust daytime driving requirement in class and adjust late enrollment requirement
 - Clarify reimbursable expenses and set time lines for vehicle signs
- She noted that this rule was not controversial.

Some discussion ensued about the differences between the public driving schools and the commercial driving schools rules. **Rod McKnight**, SDE, clarified the need for separate rules for the two types of schools. He also relayed a recent agreement developed in the Senate Education Subcommittee that Docket No. 08-0202-0406 (Commercial Driving Schools Manual) would be approved with deletion of specific sections: Section 1.8; Section 9.3a; Section 9.4f; and Section 9.4g. Those sections would eliminate the enforcement date confusion, and the Department would return to the table to generate a temporary rule for the commercial schools until next legislative session. He indicated that these efforts would provide consistency with both rules and avoid further confusion.

MOTION:

In light of this discussion and the Senate Education Subcommittee's recommendations for Docket No. 08-0202-0406, **Rep. Kemp** noted no further objections to the rule by the general subcommittee and recommended approval of Docket No. 08-0202-0407 with two expectations: 1. that the Senate Education Committee would approve the recommended revision to the rule and 2. that the date discrepancies for Section 1 Commercial Driving Schools in both Docket No. 08-0202-0406 and 08-0202-0407 would be made to match. The motion passed by unanimous voice vote.

ADJOURN:

There being no further business before the subcommittee, Subcommittee chairman Nielsen adjourned at 9:50 AM.

Representative Peter Nielsen
Subcommittee Chairman

Kathy Ewert
Secretary

Representative Jack Barraclough
Chairman

MINUTES

HOUSE EDUCATION SUBCOMMITTEE #1

DATE: January 24, 2005

TIME: 9:30 AM

PLACE: Room 406

MEMBERS: Vice Chairman Rydalch, Representatives Trail, Bradford, Cannon, Shirley, Chadderdon, Henderson, Kemp, Mathews, Nonini, Boe, Pence

**ABSENT/
EXCUSED:** none

GUESTS: Please see attached sign-in sheet; speakers are checked/highlighted.

CONVENE: Subcommittee chairman Rydalch called the meeting to order at 9:30 AM. She presented the minutes for January 17, 2005 to the committee for approval.

MOTION: **Rep. Nonini** moved to approve the minutes of January 17 as presented. By voice vote, the committee unanimously approved the minutes as presented.

**DOCKET NO.
08-0203-0401** **First-year Limited English Proficiency (LEP) Testing Requirements**

Karen Echeverria, Office of the State Board of Education (OSBE), summarized the two areas of flexibility in testing and classifying LEP students to comply with the federal "No Child Left Behind" (NCLB) Act.

The committee inquired about the following:

- 1) *Were math tests translated?* **Carissa Miller** (OSBE) said that was determined by the student's need.
- 2) *What about the reading assessment for kindergarten?* Ms. Miller replied that the Idaho Reading Indicator was used for K-3.
- 3) Looking at cut-off dates for kindergarten, *what was done for students with only a half-year of kindergarten?* The State Department of Education administered indicators for these students.

MOTION: **Rep. Boe** noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

**DOCKET NO.
08-0203-0402** **Clarify District / Local Education Agency (LEA) Sanctions**

Ms. Echeverria recapped that without definitions of terms, this rule was difficult to understand. Therefore, this pending rule clarified the differences between school and district/LEA sanctions for failing to meet Adequate Yearly Progress (AYP) under the federal "No Child Left Behind" Act.

What did LEA do and why did LEA's exist? Ms. Miller said a LEA was a governing body for Title I funds, and it constituted a public school district or charter school.

Jim Shackelford, Idaho Education Association (IEA), testified that the IEA supported this rule. However, they wished to note that this rule could alter the distribution of Title I funds since this rule covered all schools regardless of their Title I qualifications for federal assistance. He also noted that non-Title I schools might resort to general operating funds to augment their required Adequate Yearly Progress programs.

The committee inquired about these issues:

- 1) *Did the money go to the districts?* Yes
- 2) *Was the money distributed equally among schools in a district?* Not necessarily as the districts gave priority to needy schools.

Mike Friend, Executive Director of the Idaho Association of School Administrators, explained that school district received their funds as a conglomerate and determined the distribution to their schools. The federal dollars did not support all children, however, this rule required all to be supported. Hence, he agreed that this rule may necessitate additional funding.

MOTION:

Rep. Bradford noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote. **Rep. Cannon** requested that his vote on this motion would not be binding in the committee as a whole. Subcommittee Chairman Rydalch so noted.

**DOCKET NO.
08-0203-0403**

English Language Proficiency Standards

Ms. Echeverria explained that under No Child Left Behind Act of 2001, all states were required to establish and implement English language Proficiency (ELP) Standards. The standards set English acquisition by grade level. It also helped the language teachers measure the students English language skills and define lesson plans accordingly. All students would be accountable for the same content knowledge, yet some students may need remedial assistance, which the standards help identify.

MOTION:

Rep. Henderson noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

**DOCKET NO.
08-0203-0404**

Clarify Distinguished Schools Criteria

Ms. Echeverria discussed how the federal law required a reward for "distinguished schools," but the exiting rule lacked understandable criteria to define such schools. This rule named specific reward criteria and grouped some awards.

MOTION:

Rep. Shirley noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

**DOCKET NO.
08-0301-0401**

Public Charter School Commission

Ms. Echeverria recalled SB1444 that established a seven member commission for oversight of charter schools. This temporary rule established the parameters of chartering and oversight of charter schools.

She explained that the rule did not cover funding for the commission and that the Office of the State Board of Education would formulate a staffing and operating budget later.

MOTION: **Rep. Nonini** noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

DOCKET NO.
08-0108-0301

Alcohol on Public College / University Campuses

Subcommittee Chairman Rydalch noted that consideration of this rule was continued from their hearing on January 17, 2005. Ms. Echeverria reminded the committee that this rule established parameters for a college / university president to grant permits for alcohol on campus and set quarterly review of such permits by the Office of the State Board of Education.

MOTION: **Rep. Chadderdon** noted no objections to the rule and recommended approval by the general committee. The motion passed by unanimous voice vote.

DOCKET NO.
08-0202-0402

Alternative Teacher Certification

Again, Subcommittee Chairman Rydalch reminded the committee that this hearing was being continued from last January 17, 2005. Ms. Echeverria noted that this rule set pre-assessment of skills and educational mastery of both content knowledge and pedagogy, and it established structured mentoring for the first two years of teaching.

The committee then made the following inquiries:

- 1) *Did this certification route apply to both elementary and secondary teachers?* Yes
- 2) *If the certification purpose was for subject-specific teachers, how would this apply to elementary teachers?* **Allison McClintick**, OSBE, explained that the current alternative route employed the ABCTE route and elementary teacher took self-assessment examinations that directed them toward required courses and training when deficiencies occurred in content or pedagogy.
- 3) *How would a computer-based certification route prepare teachers with the mechanics of teaching like the traditional university route?* Ms. McClintick noted that this route was not intended to replace the traditional university teacher preparation program, but to enable administrators to employ qualified individuals and satisfy the NCLB requirements.
- 4) *Was this offering an easier route to certification the omitted teacher education credits?* Ms. McClintick noted that no single route to certification would satisfy all potential modes to place and retain good teachers in the classroom. If a college student skipped an education course in college, then they must take the pre-assessment examination to demonstrate proficiency. Subcommittee Chairman Rydalch further explained that this route enabled university instructors or individuals with graduate degrees to teach in public high schools as certified teachers. She reminded the committee that in all situations, the school administrator decided who would be contracted to teach.
- 5) *What was happening in other states that used this alternative?* Ms. McClintick said that six other states used alternative certification routes.

Pennsylvania had added a teaching practice component; the others used the ABCTE.

6) *What was structured instruction?* Ms. McClintick said that is was training and help in an actual classroom. This alternative route required two years mentoring in the classroom with a master teacher to pass the content and pedagogy requirements for full certification.

7) *Was there anything in this rule that evaluated a teachers ability in an actual classroom before they were hired to teach?* Mc. McClintick replied that decision was up to the school administrator. This certification tool was only for individuals whom the administrator felt comfortable with their teaching ability in the classroom, such as existing consultant specialists, or individuals with proven teaching skills.

8) *Where was the money coming from to pay for the mentoring?* Ms. McClintick explained that districts bore the cost of mentoring.

9) *Did this rule enable districts to certify consultant specialists?* Yes. In addition, Ms. McClintick noted that the consultant specialist waiver would expire in 2006.

Subcommittee Chairman Rydalch remarked that the committee has had concerns about varied implementation of mentoring plans in the past, and she saw this rule as a step toward higher teacher qualifications as well as meeting NCLB requirements.

MOTION:

Rep. Shirley noted objections to the rule and recommended passing the rule to the general committee without recommendation.

**SUBSTITUTE
MOTION:**

Rep. Henderson noted the objections to the rule and recommended approval by the general committee. Subcommittee Chairman Rydalch called for a roll call vote.

Roll call showed 5 “aye’s” and 4 “nays” as the follows:

Aye - Subcommittee Chairman Rydalch, Representatives Bradford, Chadderdon, Henderson, Nonini

Nay - Representatives Cannon, Shirley, Boe, Pence

The substitute motion passed.

**DOCKET NO.
08-0202-0406**

Commercial Driving Schools Manual

Subcommittee Chairman Rydalch briefed the committee on the pending Senate Education settlement on this rule. The proposal removed Sections 1.8, 9.3a, 9.4f and 9.4g from the Idaho Standards for Commercial Driving Schools as referenced in this rule. The proposal also would renegotiate Section 1.8 in temporary rules and bring a new rule to the legislature next session.

Mike Ryals, a commercial driver education instructor, declared support of this proposal by their association, and they were pleased with the citizen legislature who assisted them in modifying this rule.

Dave Eiguren affirmed that the new rule development would occur over the next year with Idaho Transportation Department facilitation. Ms. Echeverria asserted that Senators Andreason and Gannon would also assist. Subcommittee Chairman Rydalch stated a desire for this

committee to be informed of their progress and requested careful attention to the APA process. She also urged school boards to review the public school rules regarding possible onerous rules.

Rep. Boe inquired if student received academic credit for driver education classes? Ms. Echeverria said no school credit was granted either public or commercial driving classes.

MOTION: **Rep. Boe** noted the objections to this rule and recommended approval by
ADJOURN: There being no further business before the subcommittee, Subcommittee Chairman Rydalch adjourned at 10:51 AM.

Representative Ann Rydalch
Subcommittee Chairman

Kathy Ewert
Secretary

Representative Jack Barraclough
Chairman

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 25, 2005

TIME: 8:30 AM

PLACE: Gold Room

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Nielsen

GUESTS: Please see attached sign-in sheet; speakers are checked/highlighted.

CONVENE: **Chairman Barraclough** call the meeting to order at 8:40 AM. He referred the committee to minutes for January 18, 19 and 20 and requested the committee review them for approval.

MOTION: **Rep. Henderson** moved to approve the minutes for January 18 as presented. The motion carried by unanimous voice vote.

MOTION: **Rep. Shirley** moved to approve the minutes for January 19 as presented. The motion carried by unanimous voice vote.

MOTION: **Rep. Shirley** moved to approve the minutes for January 20 as presented. The motion carried by unanimous voice vote.

PRESENTATION: Chairman Barraclough introduced members of the State Board of Education in attendance: Karen McGee; Blake Hall and Sue Thilo. He acknowledged Harry McCarty, IEA Region 3 Director, and turned with gratitude to Wayne Rush and the J.A. & Kathryn Albertson Foundation, who sponsored the presentation.

Wayne Rush introduced Kati Haycock, Director of the Education Trust, as a leading child advocate in the field of education and proponent of higher academic achievement. He noted that the presentation was the result of Ms. Haycock's work and study, not necessarily those of the Foundation.

Kati Haycock, Director of a Washington-based advocacy group for young people, especially those who were poor or members of minority groups, called the committee's attention to the day's topic: "Improving Academic Achievement and Closing Gaps Between Groups: Idaho and the Nation." She explained that when comparing what students know today with 20 years ago, things were not necessarily satisfactory. Our kids exit high school with stronger math and science than 1980's graduates, but the opposite was true for reading and writing. Further, the gap between Whites and African Americans/Latinos began to widen after 1990.

Ms. Haycock graphically illustrated student skills in reading, science and math. She noted that students made more growth in grades 5-8 than

grades 9-12, with the exception of science. Since 1996, high school math skills were declining, and studies showed the achieved growth occurred in the elementary and middle schools.

Looking at international test scores (TIMSS and PISA), other countries gain far more in high school. U.S. students perform poorer as they move from 4th to 12th in math and science compared to students of other nations. She commented that Latvian scores were most like the United States.

Next, Ms. Haycock explained the inequity between high and low achieving students in math, reading and science literacy. By the 8th grade, one in three students from lower income or non-white decent have appropriate skills in math and reading. Added up, this demonstrated that race and economics impact graduation from high school, completion of at least some college or obtaining at least a bachelor's degree.

If a typical American income was viewed, 60% of the students from a family income of \$75,000 per year or more attained at least a bachelor's degree; 7% of the students with family income of \$25,000 or less. In other words, upper middle income families faired eight times better in education.

Turning to Idaho, Ms. Haycock showed how Idaho mirrored the national trends in ISAT and NAEP scores. Again, 4th graders showed proficient or advanced skills, yet by 8th grade, fewer scored at this level. Higher education in Idaho was not so good: 46th in nation in attending college; 50th in nation to complete second year; and 35th in nation with at least earning an associate degree. She commented that the growing Hispanic and immigrant populations in Idaho impacted state scores.

Next, Ms. Haycock described select schools that have reversed these trends despite low income or racial influence, such as Samuel Tucker Elementary in Alexandria, Virginia; West Manor Elementary in Atlanta, Geogia; Hambrick Middle School in Houston, Texas; and Johnson County Middle School in Kentucky. Using National School-Level State Assessment Scores scatter charts, she showed that economics alone could not predict academic success. In other words, what a school did mattered!

Ms. Haycock talked about Lapwai Elementary with a 75% native American Indian population. Yet Lapwai students had outscored all students in the state in 4th grade reading and math in 2003. As with schools, some school districts and even states have demonstrated remarkable improvement. Minority and poor students actually outperformed middle class white students in some states, such as North Carolina, Texas, Delaware, and Mississippi. Colleges too demonstrate divergence in performance with similar student profiles.

In conclusion, Ms. Haycock said that what matters most in education was what schools, districts, states and colleges did to focus on student achievement. To achieve excellence, she suggested the following:

- 1) Make no excuses: everybody must take responsibility for learning.
- 2) Not leave anything about teaching and learning to chance. Schools must be clear about what is taught, model assignments, not wait for end-

of-year tests to assess accomplishments, and act immediately on test results to improve achievement.

3) Insist on rigor all the way up the line. This requires aligning high school graduation standards with higher educational needs, making college preparation the default curriculum, eliminating “easy” class choices and securing/retaining good teachers.

4) Good teachers matter more than anything else. She noted that the greatest contributor to student success was quality teachers year after year. She recommended identifying strong teachers and using their talent to assist other teachers. She also commented on assessing a teacher’s quality by viewing the student’s growth “during that teacher’s watch.” Lastly, she noted that misassigned, inexperienced or under qualified teachers in the classroom rendered a devastating impact on student performance.

Ms. Haycock encourage higher education to get high schools to more adequately prepare students for college, make college accessible to the poor and stretch colleges to increase college graduation rates.

Chairman Barraclough inquired about how could you overcome the “don’t make me look bad” culture in education and help improve Idaho’s educational system? Ms. Haycock advised them to “not give up!” She said this culture was prevalent nationwide, but pressing for achievement would change this, such as holding-up achieving schools in high poverty population areas.

Rep. Mathews wondered how did volunteer parents effect educational quality? Ms. Haycock stated that volunteer efforts were rarely adequate to raise achievement, but they could help relieve burdens in the classroom, especially with writing and hands-on laboratory assignments.

Rep. Shirley asked if the quantity of extra-curricular activity impacted academic performance? Ms. Haycock said the data could not answer this question. However, academic excellence and extra-curricular activities often went hand-in-hand, but too much could negatively impact academic performance. As a side note, Ms. Haycock told the committee that girls today were often outperforming boys in all academic fields in high school and more went on to graduate from college. She also noted that high school boys spent more time playing video games than girls.

Rep. Trail inquired if adding more math or senior level math to high school graduation requirements would be beneficial? Ms. Haycock agreed that this would be good. She then noted that Cal State placement tests augmented the state standards in 10th grade to improve college preparedness in California.

Karen McGee, State Board of Education member, asked about improved vigor in high school curriculum and “value added” tests? Ms. Haycock said these were both very important but value added referred to the rate of progress shown in mastery of a standard.

Sue Thilo, State Board of Education member, commented on the accelerated progress task force, the fall-off of high school students, and

making every year of high school count through college-prep classes as the default curriculum.

Blake Hall, State Board of Education member, acknowledge the generous support of the J.A. and Kathryn Albertson Foundation and their assistance with education in Idaho. He affirmed one goal of the Board: to ensure education for Idaho children of the highest possible caliber.

Rep. Block asked if any studies showed a correlation between academic success and lower welfare or prison populations? Ms. Haycock did not know of any explaining that would require individual tracking.

Rep. Nonini wondered if budget constraints limited assessments? Ms. Haycock noted that computer testing was not a high operating cost system and once in place, it would help.

Rep. Boe asked for clarification on how strong teachers could help weaker teachers in the classroom? Ms. Haycock remarked that most teachers do have ongoing training, but it may not be helpful to assist teachers with curriculum ideas, teaching strategies in the classroom and coaching in the classroom.

Rep. Trail questioned how to overcome peer pressure that depressed individual academic achievement? Ms. Haycock acknowledge that it was "not cool to be a high achiever in any group." She suggested building a culture that fostered achievement with increased advanced placement courses; structuring kids and parents interaction around achievement with booster clubs, jackets or awards; and stressing parent involvement to retain achievement.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned at 10:27 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 26, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:33 AM and asked Representative Nonini to introduce the day's first speaker.

PRESENTATION: **Rep. Nonini** introduced the President of North Idaho College in Coeur d'Alene.

North Idaho College In turn, **Dr. Michael Burke** introduced NIC Board Vice-president Denny Hague, Judy Meyer, former OSBE member and Treasure of NIC Board, and Sue Thilo, State Board of Education member. He recounted when he first came to NIC seven years ago and mused about the college's growth from its humble beginnings as the oldest public community college in Idaho. He noted that NIC was the only college in Idaho with a beach. He described their campuses in Post Falls, Sandpoint and Kellogg plus fifteen outreach centers where instruction took place by interactive video conferencing.

Dr. Burke described their work force centers preparing 9,000 students for jobs and applauded their general education diploma (GED) program. He commented that NIC hosted predominantly Idaho students: 63% female with the average student being 27 years old. At their training centers, NIC served business and governmental needs and linked these programs through "Jobs Plus," which recruited businesses to the area such as Buck Knives.

Acknowledging the legislatures funding for NIC's new health/science building, Dr. Burke reported that construction was on schedule and within budget. They hoped to occupy the building by summer. To equip the building and provide scholarships, he was engaged in a \$2M fund-raising campaign.

NIC, according to Dr. Burke, was the last best chance for education and a better life for many. He defined the institutions goals as: affordable, accessible to diverse student population, high quality education and located close to home. He noted efforts to promote federal loans to fund students, but noted that as tuition became higher, more students would be locked out of higher education.

Chairman Barraclough inquired about the Post Falls Training Center and NIC's success in drawing whole companies to the area? Dr. Burke said that center was constructed with NIC Foundation funding and leased to NIC. They described recruiting Harpers, a large furniture manufacturing company, and Riverbend Professional Academy, a training academy for high school students. Both utilized local control and investment of tax dollars to benefit the community by adding about \$106M to the local economy annually.

Rep. Boe inquired how the work force training center differed from a college technical program and what number of students went on to a four-year institution? Dr. Burke replied that NIC worked in concert with ISU's College of Technology with associate and certificate programs. He explained that the NIC program was self-sufficient using student tuition dollars. He reported that NIC had many students simultaneously enrolled in Lewis Clark State College, University of Idaho and NIC as they progressed through their education.

Rep. Rydalch asked how students outside of their area impacted NIC? Dr. Burke said that counties outside of their area whose student attended NIC paid a \$500 charge from property taxes. Presently, these students were "revenue neutral." However, if this population increased, they may need more funding or a revision of the policy in which community college funding revolved around a single county.

Rep. Trail wondered how NIC participated in applied education? Dr. Burke discussed the nursing program at NIC and their training program in China.

Rep. Nonini inquired about remedial math and developmental education? Dr. Burke proclaimed remedial education as the mission of a community college. He recognized math adverse students and encouraged students to take more math in high school or at least during the junior and senior years.

**College of
Southern Idaho**

Rep. Block introduced Gerald Meyerhoffer, the president of Magic Valley's community college, the College of Southern Idaho, the economic development partner and cultural center of the valley.

President Meyerhoffer described the 365 acre site founded from a former homestead on the rim. He noted recent concern over access limited only to Falls Avenue and his plight trying to get a traffic light installed at the college entrance. He commented on CSI's mission to provide continuing education and cited a non-traditional academic ladder pursued by one female student: auto body graduate moved on to criminal justice baccalaureate to work as an accident investigator. He noted one out of three students who completed their studies at CSI went on toward a degree program at a four-year institution.

He described CSI's efforts to provide a training center in the Burley area and outreach in Hailey and Gooding. He talked about their successful partnership with Micron in Boise providing specialized training in electronics. He discussed CSI's success recruiting of Dell and Jayco to Twin Falls as well as other companies in the surrounding counties by

focusing on the training needs of each individual company.

President Meyerhoffer commented that the funding per professional technical student and per student full time equivalent had both declined nearly 25% since fiscal year 2000. He commented on the drop in capital outlay, which reduced SCI's quality of education by forcing the use of outdated equipment.

In conclusion, President Meyerhoffer proclaimed community colleges an educational bargain. He commented on the Governor's recommended budget for Idaho's community colleges, and he described how students at CSI earn points to enter their nursing program, of which 40% were single mothers on state aid.

Rep. Trail questioned if the Boise State University's efforts to develop a community college would negatively impact CSI? President Meyerhoffer didn't see a change in CSI enrollment and proposed that Treasure Valley needed a community college. He did, however, question the model that BSU was proposing for a community college. He felt that CSI was a success for it focused on a quick turnaround to meet business needs.

Rep. Rydalch asked for a description of an under-prepared student? President Meyerhoffer pointed out that 30% of the Magic Valley population was illiterate and 28 different languages were spoken at Twin Falls High School, a result of high refugee immigration to the area. Addressing these populations, he said that federal grants added their Hispanic drop-outs while CSI offered a "Go To College Day" for 6th graders to let them know that they "could" go to college.

Rep. Shirley inquired if statutorily they were unable use tuition for instructors' salaries? President Meyerhoffer said no, they could use tuition for any purpose and this issue was before the State Board regarding other institutions.

Rep. Block asked how CSI worked with other educational institutions? President Meyerhoffer described their concurrent enrollment program where they work with a curriculum for students and faculty to enable the student to earn college credit and speed their time through higher education.

Rep. Trail inquired about technical education transfers and what impact did they have? President Meyerhoffer explained that the technical preparation program was different from concurrent college degree curriculums. The tech prep was designed for high schools and it was a definite aid to the local economy.

Rep. Nielsen question if Mountain Home would be a viable site for a community college in Treasure Valley? President Meyerhoffer encouraged cooperation with Boise State University to locate a much needed community college in the Treasure Valley.

ADJOURN:

There being no further business before the committee, Vice-chairman Rydalch adjourned the meeting at 9:55 AM.

Representative Ann Rydalch
Vice-chairman

Kathy Ewert
Secretary

Representative Jack Barraclough
Chairman

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 27, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are checked/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 9:08 AM. He referred the committee to the minutes of January 24, 2005.

MOTION: **Rep. Wills** moved to approve the minutes of January 24, 2005 as presented. The motion carried by unanimous voice vote.

**SUBCOMMITTEE
#1 REPORT:
DOCKET NO.
08-0301-0401
08-0108-0301
08-0203-0401
08-0203-0402
08-0203-0403
08-0203-0404** **Rep. Rydalch** presented Subcommittee #1 recommendations to approve the following rules as written (per Docket Number):
Temporary Rule: 08-0301-0401 Public Charter Schools Committee;
Pending Rules: 08-0108-0301 Alcohol on Public College/University Campuses; 08-0203-0401 First Year LEP Testing Requirements; 08-0203-0402 clarify District / LEA Sanctions; 08-0203-0403 English Language Proficiency Standards; and 08-0203-0404 Clarify Distinguished Schools Criteria.

MOTION: **Rep. Rydalch** moved to approve Docket Numbers 08-0301-0401; 08-0108-0301; 08-0203-0401; 08-0203-0402; 08-0203-0403; and 08-0203-0404 as written. The motion passed by unanimous voice vote.

**DOCKET NO.
08-0202-0406** **Rep. Rydalch** explained objections to this Pending Rule on the Commercial Driving Schools Manual. She referred to a private attorney's opinion that the incorporation of the manual by reference did not satisfy APA procedures with due public comment. She informed the committee that the Senate rules review subcommittee recommended approval with deletion of Sections 1.8, 9.3a, 9.4f and 9.4G of the referenced Idaho Standards for Commercial Driving Schools.

Rep. Kemp pointed out that she would vote yes, but wished assurance that the deleted sections of the manual would be addressed and presented for final rule next session.

MOTION: **Rep. Rydalch** moved to approve Docket Number 08-0202-0406 with deletion of Sections 1.8, 9.3a, 9.4f and 9.4g of the referenced Idaho Standards for Commercial Driving Schools. The motion passed by

unanimous voice vote.

**DOCKET NO.
08-0202-0402**

Next, **Rep. Rydalch** explained the Pending Rule on Alternative Teacher Certification, which implemented the law passed last session and satisfied NCLB mandates. She described the computer certification program, explained that local control would be enhanced, and that waivers for consultant specialists would be invalid after 2006.

Chairman Barraclough emphasized that this rule was not intended to circumvent the tradition teacher education, but to offer a viable alternative to include experienced, skilled individual as certified teachers under local administrative decision. Chairman Barraclough then asked for each committee member comment on this rule.

Rep. Trail expressed concern about the lack of proven track record for this alternative. He presented an email message from Jann Hill, Lewis Clark State College (see attached), expressing concern about ABCTE.

Rep. Bradford supported individual principals having the right to hire alternatively certified teachers. He described a personal experience in school with a non-traditionally trained teacher.

Rep. Block affirmed her trust in local administrators to apply this alternative certification route appropriately for the best interests of the students. She favored the rule.

Rep. Cannon struggled with this issue saying that he thought the actual classroom experience gained in higher education might be ignored if this alternative were approved. He respectfully dissented.

Rep. Nielsen talked about meeting with his local superintendents and district people who wished to see more restrictions on this route. He acknowledged that alternative certification did not grant tenure nor prohibit dismissal if the school administrator was not satisfied with the teacher's performance. He describe how this method could bolster local control and bring in-depth knowledge of math and science into the classroom. He supported the rule.

Rep. Shirley suggested adding language to the rule, which would require "demonstrating teaching performance" in the classroom. He said his superintendents wanted him to oppose this rule as presented, and he would honor their requests.

Rep. Wills described first-hand experience with a teacher skilled in his field, but was most ineffective in the classroom because there was no classroom mentoring or accountability. Yet, he acknowledged that changes were needed and even when an individual was given the tools, they may not be effective. He believed this rule required demonstrated proficiency in the classroom; he supported the rule.

Rep. Chadderdon lamented being in classrooms where ill-prepared coaches taught science laboratory classes. She noted that small, rural areas often had to hire young teachers or two-year degree teachers into the classroom. She was pleased with the two-year mentoring provided in

this rule.

Rep. Henderson realized that this rule was not a complete solution, but it merited their support. He believed this would enable some highly qualified individuals to teach in public schools and felt that it did not dilute the quality of teacher preparation. He too was confident that the local administrators would apply the rule appropriately.

Rep. Kemp favored this rule saying she did question the adequate preparation before mentoring in the classroom. She noted the “interim certificate” clause in the rule.

Rep. Mathews believed this rule helped to achieve balance in teacher qualifications and preparation, plus it offered local control over the hiring of alternatively certified teachers.

Rep. Nonini spoke of discussing this rule with many local educators. He felt this rule helped bring talent into the classroom and raised the bar of education. He had some reservations about the mentoring, but overall supported this rule to help rural Idaho schools.

Rep. Shepherd supported the flexibility of this rule to help bring talent into small, rural school districts.

Rep. Boe asked a question of Karen Echeverria regarding the driver education rule. **Chairman Barraclough** yielded to **Karen Echeverria** who answered that OSBE would meet to generate a temporary rule for this year and bring it before the legislature next session.

Rep. Boe then proceeded to explain her concerns about the alternative teacher certification route: wanted a different style of mentoring and demonstrated teaching performance in classroom such as offering alternative certification only to individuals with substitute teaching or consultant specialist experience.

Rep. Mitchell inquired if it was possible to amend the rule? Ms. Echeverria said statute allowed an amendment, but leadership traditionally acknowledged the separation of powers in which the executive branch, not the legislature, amended rules. Rep. Mitchell then suggested if they added “demonstrated teacher performance” language to the rule, then he would support it.

Rep. Pence saw this rule as a way for small school districts to satisfy the federal law of “highly qualified” teachers in NCLB. However, she feared long-term results with teachers lacking proven classroom skills.

Rep. Henderson understood that this rule set “minimum requirements” for mentoring and again asserted his confidence in local control.

MOTION:

Rep. Rydalch moved to approve Docket No. 08-0202-0402 as written and requested a roll call vote. The motion carried with 12 “aye” and 6 “nay” votes as noted below:

Aye – Representatives Barraclough, Rydalch, Bradford, Block, Nielsen,

Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd

Nay – Representatives Trail, Cannon, Shirley, Boe, Mitchell, Pence

At **Rep. Mitchell's** request, **Chairman Barraclough** asked the Office of the State Board of Education (OSBE) representatives to convey the committee's concern regarding mentoring. **Allison McClintick**, OSBE, agreed to do so.

**SUBCOMMITTEE
#2 REPORT:
Docket No.
08-0202-0403
08-0202-0405
08-0202-0408
08-0202-0409**

Rep. Nielsen briefed the committee on the recommendations of Subcommittee #2 regarding these pending rules: 08-0202-0403 Standards for Idaho School Buses; 08-0202-0405 Professional Standards for Teachers; 08-0202-0408 Accreditation of Public Schools and Districts; and 08-0202-0409 Clarify Teacher Preparation Program Reviews.

MOTION:

Rep. Nielsen moved to approved Docket Numbers 08-0202-0403, 08-0202-0405, 08-0202-0408, and 08-0202-0409 as written. The motion passed by unanimous voice vote.

**DOCKET NO.
08-0202-0407**

Rep. Nielsen noted the committee's discussions about the Public Driver Education School Manual as it related to the Commercial Driver Education School Manual.

MOTION:

Rep. Nielsen moved to approved Docket No. 08-0202-0407 with the exclusion of Sections 1.8, 9.3a, 9.4f and 9.4g of the driving school manual.

Rep. Kemp noted on page 26 of the Commercial Driver Education rule that it as well as the Public Driver Education manual had cross-references and she wished the committee to address this in their motion.

No further discussion ensued, and the committee approved the motion by unanimous voice vote.

PRESENTATION:

Chairman Barraclough acknowledged Dr. Tim Hill, State Department of Education, and turned the meeting to Jason Hancock, Legislative Budget and Policy Analysis, to discuss public school funding in Idaho.

Jason Hancock presented the committee with a handout entitled "Public School Finance" (see attachment). He walked the committee through the public school funding formula and explained how base salaries and minimum salaries related. He discussed the legislative cap on the "steps and lanes" of teacher salaries, bond levy equalization, state funding of charter schools, 3-mil levy cap, virtual school funding, use of estimates and forecasts in school funding formulas, recent reductions in educational endowment funds, statutory funding, and federal GASB requirements for health benefits.

The committee discussed the various segments of Mr. Hancock's presentation such as:

- Explanation of state law regarding continuous supplemental
- Mechanism for a local permanent supplemental levy

- Formula to fund virtual schools in Idaho
- Transportation costs pertaining to charter and virtual schools
- Anticipated tapping of the public education stabilization fund this year
- Impact of new enrollment and other statutory data
- Calculation of discretionary dollars per support unit in FY06 budget estimate
- Funding of the Idaho Digital Learning Academy

Chairman Barraclough asked the committee members to consider these budget issues and expressed concern about using one-time funding, which may result in a tax increase next year. He asked the committee members to develop some priorities that may be presented to JFAC as funding recommendations later in February.

**PROCEDURAL
QUERY re
Docket No.
08-0202-0407:**

Rep. Nielsen called the committee's attention to a confusion regarding the motion on Docket No. 08-0202-0407 for the Public Driver Education School Manual. He asked for clarification from Ms. Echeverria regarding the sections to be deleted. **Karen Echeverria**, OSBE, explained that the motion as approved would probably alter sections in the public school manual, which was not the intention of the subcommittees. Rep. Nielsen acknowledged the confusion and requested an amended motion to correct the problem. Further uncertainties ensued among the committee members.

By order of the chair, **Chairman Barraclough** ruled to have Docket No. 08-0202-0407 held for time uncertain pending correction of the language of the motion.

ADJOURN:

There being no further business before the committee, **Chairman Barraclough** adjourned the meeting at 10:50 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 28, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Nielsen

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:30 AM and requested the committee to review the minutes for January 25 and 26.

MOTION: **Rep. Wills** moved to approve the minutes for January 25 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approve the minutes for January 26 as written. The motion carried by unanimous voice vote.

PRESENTATION: **Rep. Trail** introduced Dr. Timothy White, President of the University of Idaho (UI), noting this was his first year at a very challenging post. He praised Dr. White for his management of past financial affairs and improvement of employee morale at the university.

Chairman Barraclough remarked that he was concerned about funding for higher education in Idaho. He praised Dr. White for his accomplishments during his first year at the university.

University of Idaho **Dr. Timothy White** stated that it was critical to sustain the economic, environmental, societal and lifestyle partnerships that were being forged at UI. He acknowledged difficult fiscal times in Idaho, yet the legislature funded merit raises to help UI fend off “cherry picking”—the hiring away of talented professors and staff to neighboring institutions of higher education. He appreciated the Teaching and Learning Center funding at UI and the institutions dedication to putting out work-ready graduates.

Within his first six months at the university, Dr. White focused on financial concerns at UI and the University of Idaho Foundation. He assured the committee that they would find and fix those problems. He discussed the primary reserve ratio, attainment of an A+ bond rating, efforts to repay bonds and debts within the next year, loss of some jobs and his policy of “zero tolerance for a deficit budget.” Also, Dr. White described a 25-member task force to report on ways to improve education and conditions at UI.

Dr. White noted that the office space in the Water Center was fully rented with governmental and private entities whose focus was water issues in Idaho and the nation. The university occupied less space than estimated at the Water Center equaling savings to the university. Also, he reported that the UI Foundation had reduced their debt load by over one-half.

Looking at UI student body, Dr. White located students from every county in Idaho as well as from the nation and world. He proudly described 34 merit scholars at UI and top academic students as incoming freshmen. He described retention numbers above the national average for public institutions and a self-directed online math program that supported incoming freshmen.

He detailed three outstanding students at UI: Ted Yamamoto in biomedical research; Jenny Phillips in electrical engineering; and Michael Leake in civil engineering. Dr. White explained that UI focused on real time learning with strong emphasis on hands-on work and research. He showcased their research faculty, such as Chan Wai's innovative work in mastitis and its international applications, Greg Moller's work on arsenic extraction from water, and Ron Sheffield's dairy waste management. Dr. White went on to detail the universities efforts in economic development with imaging, power/energy, agricultural bioscience, and nanoscience and materials.

Noting appreciation for the Governor's recommended budget, Dr. White stated the importance of workload adjustments, faculty salaries, building maintenance funding, and the devastating impact of declining endowment earnings.

Chairman Barraclough acknowledged the universities efforts to make changes to bring fiscal balance and the uncertainty of one-time funding. He expressed a desire to see teacher preparation curriculums reflect the academic needs of K-12 to graduate better qualified students and to reduce remedial education in post-secondary education. He asked for less academic turf conflicts among Idaho college and universities and hoped to see Idaho values taught in higher education.

Rep. Trail asked how GASB 34 and 35 impacted the university? Dr. White replied that in 2007, a not-for-profit institution must put all health care benefit costs on the books. This would mean about \$300M for UI, which exceeded their annual budget. He hoped to see a change at the federal level to avoid this problem.

Chairman Barraclough inquired about alcoholic consumption on campus? Dr. White agreed with his concern and described what he and his wife were doing. They hosted talks with students with surprising results. From those talks, he started a task force to education students about alcohol and peer support groups where students helped fellow students.

Rep. Mathews wondered what was meant by "accountable" and "transparent?" Dr. White explained that "accountable" meant getting the best impact for the dollar in public education. "Transparent" referred to engaging more Idaho students in higher education despite low incomes,

soft high school curriculums or a family history without higher education.

Continuing, **Rep. Mathews** inquired if there was a tendency to have influential people making “too-creative” decisions regarding public policy? Dr. White explained a certain level of risk taking in any innovative endeavor, but sound business policies needed to prevail. Since the integrity of public trust was key to him, Dr. White pronounced his dedication to more rigorous financial vigilance at UI.

Rep. Rydalch asked if students patented things on their own and what precautions did UI use to protect such information and products? Dr. White said the University and their self-funded Idaho Research Foundation employed due diligence with such ideas. The researcher and UI jointly owned patents with UI receiving at least one-third of the proceeds. He explained that they were very cautious with intellectual capitol and regulated what students could access.

Idaho State University

Rep. Boe introduce Dr. Richard Bowen, Idaho State University (ISU) president, noting that he was the longest tenured university president in Idaho. She praised Dr. Bowen for his attitude about state funding and his help to foster cooperation among Idaho institutions of higher education.

Dr. Richard Bowen thanked the legislature for the universities ongoing maintenance budget with the workload adjustment, small salary increase, fringe benefits coverage, plus building and operating dollars for the Performing Arts Center. He explained that ISU served a wide educational spectrum: post-secondary vocational school (largest in Idaho); community college assignments with open enrollment for second-change opportunities in GED, reading literacy and associate degrees at Pocatello and Idaho Falls; general curriculum at the university, especially in nuclear and health sciences with satellite campuses; and graduate research. Hence, ISU offered sound access and a broad spectrum mission.

Rep. Mitchell inquired if ISU could meet the health science shortage in Idaho? Dr. Bowen believed that Idaho was falling behind. ISU was trying to respond, but without investment capital, they could not expand more in nursing education. He elaborated on the collaboration of ISU, BSU and Boise hospitals to offer a registered nursing program to individuals with a baccalaureate degree.

Rep. Cannon asked if it was a problem for Eastern Idaho vo-tech students to get credits accepted at ISU? Dr. Bowen did not know that this was a problem; he promised to investigate and remedy if it was.

Rep. Shirley questioned a pending bill regarding tuition and fees at Idaho college and universities asking how it would affect ISU? Dr. Bowen declared that they needed this bill to pass. He explained that both ISU and BSU needed the flexibility to legally use tuition. He explained that a statutory change would help all but the University of Idaho, who would require a constitutional amendment. However, UI was not as pressed financially as the other state institutions.

Rep. Boe wondered how the university could increase student financial aid despite Idaho having lower tuition/fees in the northwest? Dr. Bowen

agreed saying many states had mechanisms to fund student financial aid, yet many of Idaho's 4.0 students were unable to get scholarships. Even with more dollars in financial aid, he explained that raising fees negated the assistance to students. He noted that 80% of ISU students received financial aid and/or worked while attending college.

Rep. Rydalch asked for more information on the Idaho Accelerator Center at ISU? Dr. Bowen said this was a success story of Dr. Frank Harmon who created the center with the cooperation of the Idaho National Laboratory (INL). At the Center, practical research was being done, such as cargo container security and federal start-up funding of spin off companies.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned at 10:18 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: January 31, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** expressed regret that the committee page was called home for family reasons. He introduce the replacement page, Katie Hassmer from Shoshone.

PRESENTATION: Next, **Chairman Barraclough** gave a historic overview of a cutting edge project funded the by J.A. and Kathryn Albertson Foundation called the Idaho Student Information Management System (ISIMS).The project involved 29 pilot districts across Idaho and served well to flush-out potential problems with implementation and clarify expectations compared to practical application. He then introduce Tom Wilford, an Albertson Foundation financial consultant, to give the committee a summary of the project from the foundation's perspective.

Tom Wilford described the project as a dream in 2000 to have internet systems that facilitated monitoring a student's school progress by parents, teachers and administrators as well as assist school administrators in compiling a plethora of reports. He reported that 40-60% of students were now on the system, however, the system was not working statewide due, in part, to internet access problems.

Mr. Wilford summed the key points learned from ISIMS:

- 1) Should have listened to vendors regarding the product's statewide applicability;
- 2) Difficulty in integrating software with security, internet access (portal), data limitations, and dispersed, varied support;
- 3) State lacked statewide internet service;
- 4) Old software and operating systems were a hindrance; and
- 4) Training needs exceeded expectations.

Mr. Wilford expressed dissatisfaction with only 30% functionality of the curriculum management and inability to connect statewide. He noted that the Foundation helped to protect this functionality by purchasing licenses and a one year maintenance fee for the software products. In addition, the Foundation turned over hardware, knowledge and well trained individuals to continue working on ISIMS.

Chairman Barraclough asked what they could expect for ISIMS in 5-10 years? Mr. Wilford said if they could get internet access statewide, then the ISIMS software could work.

Rep. Nielsen inquired if they had some leads for the state on various products? Mr. Wilford said that they had researched options and narrowed it to two-three products chosen by the size of districts and reporting needs. He pointed out three main objectives: student information; parent connects and data warehousing.

Next, **Rep. Nielsen** inquired if implementation were delayed, could the original vendor database be salvaged? Mr. Wilford said that it could.

Rep. Trail asked what might help get the project going? Mr. Wilford noted Albertson Foundation provided lessons learned in the pilots, and he suggested that they needed to define the constraints of the lowest user level to participate in the system.

Rep. Mitchell asked if the operating center was critical and if this investment should be maintained? Mr. Wilford explained that trying to use this product statewide would be too expensive. He recommended using it at a district level. He affirmed that the Foundation believed an internet-based data warehouse was not feasible.

Rep. Mathews inquired if there were too many variables to make this system work? Mr. Wilford said the Albertson Foundation had originally invested \$21M, but the total cost could run as much as \$180M. They discovered that the operating costs would be nearly double the \$5M anticipated. Also, a centrally hosted system would exceed costs, as would multiple district systems. He suggested looking at systems in Texas and Canada.

Rep. Rydalch inquired how to investigate options without vendor biases? Mr. Wilford said that was exactly why they hired a consulting firm when things were not working right.

Rep Cannon wondered what this committee could do to help? Mr. Wilford encouraged them to continue to support innovative concepts. This project preceded the infrastructure to implement it, yet it provided beneficial knowledge.

CRI Advantage

Next, **Gary Brookshier**, CRI Advantage owner and vendor for Academic Accelerator, summarized his professional background for the committee and explained the company's functions: consulting on technology software and services, and information technology management. He reported that the Albertson Foundation asked CRI Advantage to develop a data warehouse to meet the goals of ISIMS. This product was called the Academic Accelerator.

Mr. Brookshier explained that their challenges were to satisfy heavy lifting needs, enable day-to-day access to student information, use a 56K dial-up internet access and employ a simple platform. Their biggest problem was training nearly 20,000 stakeholders to use the system.

Looking at ISIMS, Mr. Brookshier said that many vendors participated in the architecture of ISIMS while only four were found to provide a data warehouse. As one of these four, CRI Advantage gained the contract with the State Department of Education to provide Academic Accelerator with custom warehousing and analytic tools. A primary function of CRI Advantage was to identify standardized input protocols and train the teachers to use them.

Mr. Brookshier praised ISIMS as a very forward-thinking concept and acknowledged it's costly implementation for Idaho. He said the system provided long-term benefits to help teachers and students, especially mobile students, to have complete, current student progress reports. He pointed out that the data warehouse allowed measurements of students, teachers, schools and districts within the state through standardized reporting and accountability assessment. It also facilitated informal decision making at all levels.

Mr. Brookshier saw Academic Accelerator as a feasible analytic warehouse for the future, but it would need more funding. He estimated \$2.5-\$5M, but he said some early implementation may work without individualized information transfer. He hoped the state would maximize the assets currently in place and stay with the data warehouse concept. He suggested incremental projects to prove success with one assessment at a time. Their research showed that a data warehouse was the right tool, and he encouraged the legislature to continue this project.

Chairman Barraclough asked why the Idaho Technology Committee reported that Idaho could not communicate within itself? Mr. Brookshier said Idaho lacked the network for intense web-based transactions. He suggested that flat files may be feasible.

Rep. Kemp inquired about the differences in cost estimates? Mr. Brookshier replied that the problem was not software or technology, but inadequate technologically skilled personnel. Mr. Wilford added the original project intended for all information about each individual child to be available to teachers and parents. However, they found the infrastructure for statewide implementation was not available. The Foundation suggested that an individual district could house a warehouse and mail their data to a maintained central location.

Rep. Rydalch asked if it was wise to keep the CRI contract or start all over? Mr. Brookshier said the data warehouse was "do-able" at a local level, but labor problems at the district and state level were the problem.

Rep. Nielsen questioned the value of all this information statewide and how local control entered in? Mr. Brookshier said that was a question for Dr. Howard. However, in his opinion, federal accountability and standards made this level of data access necessary.

Rep. Kemp asked if the ISAT had a data warehouse that could serve this purpose? Mr. Brookshier said data resided in a warehouse, but it lacked the structure for analysis. Rep. Kemp countered describing an Office of the State Board of Education (OSBE) report and suggested exploring ISAT as a warehouse tool.

Rep. Mitchell asked if the OSBE report was available? Rep Kemp said she would share it with the committee.

**Department of
Education**

Dr. Marilyn Howard, State Superintendent of Public Instruction at the Department of Education, said they recognized the need for a statewide information system in 2001 and were grateful for the Albertson Foundation's contribution towards acquiring this system. She admitted that technology was a moving target, but school districts were required to collect more and deeper data than in the past. She explained that data flowed from local schools all the way to the federal government.

Dr. Howard thanked the Albertson Foundation for the good contracts, products and assistance to date. Presently, the Department of Education owned the following:

- Data warehouse (a software that collected and housed information)
- Servers and hardware through a \$1.00 purchase from the Foundation
- Software licenses for an unlimited time for all districts

The Department did, however, need funding to pay the annual maintenance fee for the software, approximately \$5M, and funds to support the intensive training needed to implement the system statewide. She asked support for six more Departmental FTE to keep ISIMS alive. She said the Department was focusing on "ETL", meaning Extracting information, Transforming the information to a warehouse and Loading information into the system.

Dr. Howard reported that she believed FiberPipe could provide the secure access with band width, temperature control and other requirements of the system. She also said that the information could be shared in "batch files". She introduced departmental leaders on ISIMS: Dr. Rich Mincer (working on the technology components) and Dr. Jana Jones (addressing the curriculum needs, accreditation, reports and vendors). She concluded saying the Department's goal was to use data to constantly monitor student progress to facilitate improved teaching and lessen the burden on the districts.

Rep. Trail asked what would be the cost to schools if the project were restarted? Dr. Howard replied that school districts still had to develop a mode to collect data and make reports. She had requested funding in her FY06 budget for district data management expenses, but the districts would need to upgrade their systems to use the software. She explained that all districts in Idaho would be looking to the 29 pilot districts for guidance.

Rep. Nielsen inquired if state money was needed to complete the Foundation's adjusted goals for ISIMS? Mr. Wilford said that Albertson Foundation would pay for the license fee, hardware to run the software and training. The state needed to fund future hardware replacements and annual maintenance fees for the software.

Rep. Block questioned if this data was being accepted by the teachers to

diagnose student needs? Dr. Howard explained that the teachers were not fighting data collection and use. The Department was conducting training workshops to facilitate their use of the data. She noted that the ISIMS system would allow more than one year of data retention.

Rep. Shirley wondered if each district had choices of systems, how could they work together? Dr. Howard said the ideal would be one system. However, Idaho paralleled Virginia in developing this type of system. She believed varied vendors working with the department to standardize data entry and transfer would be successful. **Dr. Jana Jones**, Department of Education, added that the ISIMS project had given them a handbook of common elements (expectations) for all vendors to standardize business in the future.

Rep. Rydalch questioned how they were taking advantage of the mishaps in ISIMS? She also asked for copies of the Request for Proposal (RFP) for vendors and a bidders list? Dr. Howard said she would provide the RFP information and list of bidders along with a survey of the vendors and the Foundation's latest review.

Rep. Mathews asked how they could assist local administrators and teachers with the project? Dr. Howard replied that the largest assistance would enable the districts to avoid repeated data entry. This would reduce data entry errors, facilitate audits and make local decision-making with analytical tools easier.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 10:14 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 1, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:08 AM. He commented on Dr. Dene Thomas' personal touch in administering Lewis Clark State College (LCSC) at Lewiston. Welcomed her to address the committee, he asked her to tell them about the commemorative LCSC pens.

PRESENTATION: **Dr. Dene Thomas** thanked Chairman Barraclough. Displaying a commemorative pen and case, she described how Rep. Max Black crafted these pens from wood taken from the old LCSC Warrior gymnasium floor. She welcome all to purchase a pen at \$100 of which \$80 was a tax deductible donation to the college.

Next, Dr. Thomas briefly described her personal history as a single parent through higher education and how that experience helped her to relate to LCSC students. She referred the committee to a handout (attached) summarizing the college's liberal arts curriculum with four-year and two-year degrees, and their role in basic education and their community. She portrayed their student body as 85% employed and 80% using financial aid. She detailed their primary emphasis areas: business; criminal justice; nursing; professional-technical education; social work; and teacher education at the main campus plus at their distant campuses in Coeur d'Alene, Lapwai, Orofino, Kamiah and Kooskia and online (virtual campus).

Dr. Thomas pointed out their glowing report from the Northwest Commission on Colleges and Universities that recommended continuing their ongoing initiatives for workload, advising at-risk students and assessment. She described the enrollment trends with an all-time record for student full-time equivalent count during the Fall 2004. She said they worked hard to retain students by encouraging them to "take what you are dealt and deal with it." She noted a 13% increase in credit hours at LCSC and cited examples of excellence in their education programs: PACE program, objective analysis of alternative certification methodologies; Indian Education Grant program; engaging "virtual" high school students; and assisting Lewiston and Clarkston district superintendents with gifted-talented projects for 3rd-6th graders. She talked about the U.S. News

report featuring their coed Katie Rutan and the 93.8% first-time pass rate on national examination by LCSC nursing graduates.

Dr. Thomas said both their professional-technical and academic placement rates of FY04 graduates was 92% and 126 LCSC athletes secured professional playing contracts. She discussed the Small Business Development Center, College Assistance Migrant Program for Hispanics, and recognition in the National Geographic Magazine as the only college with a native American Indian's cultural component.

Next Dr. Thomas summarized LCSC's outreach efforts with 471 GED graduates in 2004, 428 students in Adult Basic Education, community programs, Senior Nutrition program and educational programs for correctional system inmates. She described the construction, opening and dedication of LCSC's new Activity Center and LCSC's Coeur d'Alene Center. She explained a local collaboration with the Red Lion Inn to expand campus residential house with rental rooms at the inn.

Financially, Dr. Thomas explained coping with lean budgets by eliminating 16 faculty and staff positions, eliminating several low-enrollment programs and combining/realigning several divisions. She demonstrated how LCSC was a portal to higher education for many Idahoans from all walks of life. In summary, she stated that they appreciated the Governor's recommended 1% salary boost to reward her faculty and staff who have a less than 10% turn-over rate.

Rep. Trail commended LCSC for the quality of their teacher graduates and efforts in educating inmates and asked what to expect in recidivism with these students? Dr. Thomas said studies showed 62% of inmates return to prison unless they receive some education. Of these, 16% with high school diplomas or GED's return, while less than 3% with an associate degree return. LCSC not only educated inmates, but it employed them as well on campus as "red shirt" workers.

Rep. Boe asked how LCSC funding differed from community colleges such as North Idaho College and the College of Southern Idaho? Dr. Thomas stated that LCSC charged the same for an associate degree and professional-technical training, but it did not receive any property tax funding. As such, their associate degree students had to pay higher fees while their community college and professional-technical students benefitted from other funding support.

Continuing, **Rep. Boe** inquired if LCSC and ISU would cooperate with funding efforts for the BSU community college proposal? Dr. Thomas replied that they were observing the development of this proposal, but she did not know of any alternative funding mechanisms.

Discussing funding restraints, **Chairman Barraclough** hoped to see workload adjustment funds go to LCSC in the FY06 budget.

Rep. Nielsen asked about ways to get more students to teach math and science in Idaho schools? Dr. Thomas pointed out that the traditional model to put 300 students into a lecture hall then into smaller laboratory classrooms was not effective for math/science teacher preparation. She

supported smaller class sizes in college, which allows for more professor / student interaction. Teachers must fully understand their topic as well as how to teach.

**DEPARTMENT
OF EDUCATION**

Dr. Marilyn Howard, Superintendent of Public Instruction and Director of the State Department of Education, brought before the committee a summary of the public school budget for FY06. She provided handouts (attached) detailing her budget requests, the Governor's recommendation, the distribution factor, salary-based apportionment history, and a line-item discussion of the public schools.

Dr. Howard prefaced her budget presentation with an explanation of the collaborative efforts among the department, superintendents, PTA representatives, school board associations, teachers and more who helped her construct this budget request. She wanted to focus the committee's interest on the following educational issues:

1. Attracting and retaining good teachers
2. Boosting student enrollment in higher education (To this she pointed out that less than 50% of Idaho high school graduates enroll in higher education.)
3. Expand support for advanced and under-prepared students
4. Incorporate digital learning to match the digitally prolific world of today's youngsters
5. Enhance early childhood education so children do not start kindergarten lacking basic skills

Comparing the public school budget to a vat, Dr. Howard described three major expense spigots: program distributions required by law; building student success; and professional development. Under the first spigot, she explained that nearly one-third of Idaho teachers were nearing retirement and salary/benefit increases were critical to attract replacement teachers and retain good teachers. She reminded the committee that the base salary of teachers had not changed since 2002.

Chairman Barraclough interjected that the legislature had fully funded a minimum salary of \$27,500 which exceeded the base salary. To this Dr. Howard acknowledge the benefit to the lower steps and lanes of teacher salaries, but said it did nothing for those tenured teachers at the higher ranges of the salary chart who received no increases unless the base salary was raised.

Dr. Howard continued her budget discussion itemizing the second spigot: student access through technology grants; the ISIMS project; Idaho Reading Initiative; Limited English Proficient (LEP) program; State Adequate Yearly Progress (AYP) remediation; Idaho Digital Learning Academy; and Special Initiatives, such as paid college entrance examinations and teacher training to instruct advanced placement courses. (Please refer to the attached "Public Schools Budget Request: Fiscal Year 2006" for details.)

From the third spigot, Dr. Howard focused on \$2M, not supported by the Governor, to support mentoring for teachers. She noted that some districts preferred this to apply only to new teachers. As for school facilities funding, she requested a shift from lottery funds to general fund support. Regarding federal funds for local school districts, Dr. Howard

requested 90 more support units due to a student population growth of nearly 3,000 students.

Although she traditionally preferred not to prioritize her budget requests, Dr. Howard presented the following prioritized increases for FY06:

1. Base salary for teachers and classified staff
2. Discretionary fund allotment
3. One-time funding for technology
4. Digital Learning Academy funding
5. Advanced placement program funding
6. Remediation funding (to identify problems in lower grades)

Chairman Barraclough explained that mentoring funding had fallen on hard times in the legislature because new teachers had reported little if any mentoring even when dollars had been appropriated for such. He wondered about the discordance between the Department of Education and the State Board of Education. He also had heard that no federal dollars had been distributed for the virtual academy, and he asked for some accountability regarding those funds by the Department. Further, he recounted hearing that it would take years to implement ISAT, yet today the system was operable. Regarding discretionary funding to districts, he commented on some districts reporting funds not being passed through. Recalling the Haycock presentation, Chairman Barraclough quoted her report of flat educational growth in high school and wondered how to get more rigorous academics in public high schools to better prepare students for higher education and reduce the need for remedial courses.

Rep Bradford asked how to get parents more involved in their children's academic progress as well as athletic? Dr. Howard itemized efforts by the Department: reading to a child at home; providing milk to day care facilities along with letters to parents about nutrition and learning; and sponsoring a Spanish radio broadcast. Unfortunately, some parents simply cannot be engaged, and about one-third need intervention by teachers and counselors at school. The Department worked with teachers in workshops to help, and it did what they could without cost.

Rep. Mitchell, the only member of the legislature to have also served on the State Board of Education, recalled the overview relationship of the State Board with the Department. He inquired about the Board's use of federal dollars and the need for four positions in professional-technical education at the Board level.

Rep. Kemp asked how the lottery dollars fit into the Department's recommended budget? Dr. Howard yielded to Tim Hill to respond. **Tim Hill**, Department of Education, answered that half of the lottery funds went into the permanent building fund. The educational portion was appropriated annually with a limit. Also, the bond levy support program absorbed some lottery dollars. **Chairman Barraclough** summarized saying the 10 cents out of every lottery dollar went to education. Dr. Howard added that she was concerned about the increase in bond levies and the reduction in maintenance funds to compensate for lottery distributions.

Rep. Block asked Dr. Howard if they could collaborate with Juvenile

Corrections, Health and Welfare and Corrections? Dr. Howard said that they had several collaborative efforts among the four departments. She offered to send a report to the committee.

Rep. Nielsen inquired if the technology grant was shared with the Digital Learning Academy and did AYP measure average or individual performance? Dr. Howard replied that she had promised the local school boards to support technology in their schools. As for AYP, it was based on an OSBE formula and federal guidelines that require a sub-population's progress to be funded. She explained what Rep. Nielsen suggested was a "growth model," and she believed the federal government may be giving them some flexibility next year.

Rep. Boe inquired if young children of inmates would receive extra help and, referring to the bond levy equalization, she asked for the status of the law suit? Dr. Howard did not know, but would find out.

Rep. Rydalch suggested Dr. Howard present legislation to delete the requirement for mentoring temporarily until after they had standardized mentoring and to avoid law suits. Dr. Howard said that was one possible solution, however, she believed that teachers had traded their rights regarding termination to receive mentoring under district plans. Also, she believed that OSBE was working with a committee on mentoring.

Rep. Trail inquired how the Department and OSBE were working with Idaho college and universities to develop teacher education that prepared teachers to meet the increasing federal and state mandates? Dr. Howard pointed out their Idaho Reading Initiative efforts and said that the Department was the lead agency on revision of standards to incorporate technology.

Rep. Cannon stated that he believed it was the hired teacher's responsibility to teach reading, and in the present educational system, it was hard to dismiss an inadequate teacher. He inquired why a math/science teacher was not paid differently from a baseball coach? Dr. Howard too had heard that it was difficult to get rid of bad teachers and suggested working with administrators for better teacher observation criteria and care in hiring teachers to teach outside their certification areas. She believed that merit pay, student test data and sound classroom observations could be employed to promote good teachers.

Chairman Barraclough added that the MOST Committee had looked at merit pay, yet the study said nothing. Therefore, he suggested the legislature request OSBE to review this.

Rep. Kemp asked about the number of students served by teacher training for Least Restrictive Environment and Gifted and Talented? Also, she noted 8th graders scored 53% on the ISAT and asked what could the department do to improve these scores? Dr. Howard remarked that no child was served directly by the training; it was funding to facilitate training. As for the ISAT scores, she explained that elementary teachers were given high math teaching expectations, but they did not have great math training. So, the Department had established a math academy for teachers: a one week summer workshop to enhance math teaching skills.

Chairman Barraclough followed-up saying empirical data showed that it not only took effort, but funds to fire school personnel. He then cited a legal case taking 2-3 years to resolve. He also described how superintendents shunned school principals who were able to take a poorly performing student body and turn the children into academic performers. This he termed the “make them look back” quotient. Lastly, he wondered how a system without money to help superintendents and principals could help them keep only the good teachers? He requested a personal visit with Dr. Howard to discuss these and other issue further at a later date.

Rep. Rydalch inquired if support units were changing? Dr. Howard responded talking about the success of Reading First in Schools and identifying the most needy schools through student test scores. Tim Hill added that the Department requested 90 more support units this year, of which 35 were attributed to the Idaho Digital Academy. He noted the nature of support unit estimations and also described funding with stabilization funds and transportation dollars. In summary, inadequate data and moving population targets caused changes in support units.

Rep. Rydalch concluded the discussion asking Dr. Howard to please encourage teen suicide education in schools within the existing curriculums and programs. Dr. Howard acknowledged this dire issue and said the presence of a support adult could save a student’s life.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned at 10:33 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 2, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:04 AM.

PRESENTATIONS: **Rep. Rydalch** spoke of her interest in changing the sad reports of teen suicide in Idaho. She introduced Rep. Kathie Garrett, who was preparing a resolution to address teen suicide, and Jason foundation Teen board of Boise coordinator Marilyn Baughman, Community Liaison at Intermountain Hospital.

Rep. Garrett explained the resolution was a solution without funding, which was coordinated with the Governor's Office and the State Board of Education (OSBE).

Marilyn Baughman, Community Liaison for Intermountain Hospital and advisor for the Jason Foundation Teen Board of Boise, described her personal life experience that motivated her to become involved with the Jason Foundation. She explained that the Foundation offered a no cost curriculum for schools to alert teens and educators about the severe problem in Idaho and how to identify signs that precede suicide. She introduce the Boise Teen Board President, Lisa Newby.

Lisa Newby, President of the Boise Teen Board of the Jason Foundation, explained that two years ago she was suicidal and was admitted into a hospital for care. She learned about another teen's suicide, Jason Flatt from Tennessee and how his father started the Jason Foundation. Lisa decided to volunteer locally and carry the message of help to others. She reported that only 21 schools in Idaho participated with the Jason Foundation.

Juli Bassett, another Boise Teen Board member, described how many of her family members struggle with depression and how she decided to help through the Jason Foundation. She stated that suicide was the second leading cause of death for the age group 15-34 and that in 2002, Idaho had the ninth highest suicide rate in the nation. She emphasized that suicide was completely preventable with adequate education and supportive intervention. She went on to cite statistics about Idaho youth suffering from depression and suicidal plans, suicide attempts and suicide

attempts with medical intervention (see attachments). She affirmed that most individuals give clear signals prior to suicide, and she hoped that everyone could learn those signals.

Sally Pfleger, Teen Board member, spoke of living with a bi-polar mother and how hard it was to deal with depression on a daily basis. She described the Jason Foundation's Lesson Plan, which included five fifty-minute lessons. The Teen Board was talking with Boise and Meridian District officials about implementing this lesson plan in their schools.

Spring Byington, Teen Board member, talked about her family history with depression and suicide attempts. She described watching her brother work and recover under the Yellow Ribbon campaign. She gave details about the five-days of lessons focusing on videos, discussion groups, brainstorming, and learning the five warning signals. She told the committee about the Community Assistance Resource Line (C.A.R.L.) and Stan Hawkins' assistance with the Foundation.

Chairman Barraclough expressed a strong hope that Meridian and Boise School Districts, which comprise 20% of the state's student population, would adopt the lesson plans.

The Teen Board fielded committee questions responding as follows:

1. How could you tell a real suicidal threat? If in doubt, take it seriously and get professional help.
2. Why did Idaho have such a high teen suicide rate? The response implied that the high number of fire arms and rural nature contributed.
3. If someone was identified as being at risk, were they referred to others for help? Yes, school counselors talk with parents and give referrals to professionals in mental health.
4. Was the Foundation working with colleges and universities? Yes, Boise State University had a hotline.
5. Was Idaho adequately addressing mental health issues for youth? Perhaps not since even a 12-year old had received suicide treatment.
6. Did the Jason Foundation work collaborate with schools on bullying? Yes, the Foundation worked in junior high schools.
7. How could the State improve school curriculum to address teen suicide? The Teens suggested incorporating the Jason Foundation Lesson Plan into the health education credits and dedicating more than one day to suicide prevention.

Rep. Pence, a former health teacher, agreed that more than one day for suicide prevention was needed in the health curriculum. **Rep. Shirley** suggested that legislators look to their local school districts, ask what was being done and encourage them to use the Jason Foundation as a resource. **Rep. Rydalch** noted mental health work in the courts and issued a challenge to the State Board of Education (OSBE) and teacher preparation universities to address this issue. **Rep. Garrett** acknowledged that teachers in the Idaho classrooms, who were the first line of prevention, had more training in CPR than teen suicide. She too asked the OSBE to incorporate teen suicide awareness into the required school curriculum.

Educational Technologies

Next, **Garth Harker**, from SmartSchools Alliance, informed the committee that many quality educational software programs were available free on the Internet or for fees. He described five excellent sites: www.ed.gov/index.jhtml; www.whatsthehomeword.com; www.highschoolhub.org; www.hotstuffworks.com; and www.mathnerds.com. He also discussed some fee charging sites, such as www.childrensprogress.com, which tests individual academic and non-academic skills and understanding. He also described a speech recognition software from www.soliloquy.learning.com and a voice recognition aid at www.edulinksys.com. He said there was a plethora of educational softwares and on-line tools, some of which were of excellent quality and others of little value. The Alliance tried to identify those of value.

Rep. Block asked how a software tool for assessment and remediation could fit into the classroom curriculum? Mr. Harker described the Childrens Progress product for pre-kindergarten through second grade. He observed children being well entertained as they took this test.

Rep. Pence noted that teachers had to be cautious about what was used in the classroom, but any tools used to engage learning were an asset.

RS14604

Equalization of the Bond Levy

Randy Tilley, Division of Financial Management, described the RS to support the bond levy equalization program by allowing school districts the option of using the percentage of students using the free and reduce lunch program as one of the economic indicators.

Rep. Rydalch inquired if the free/reduced lunch could be equated to an economic indicator and could this cost the state? Mr. Tilley replied that this was an effort to localize the economic assistance at the school district level rather than the county level. He affirmed that measurements were available through the lunch figures, which were reputable.

Rep. Boe asked if this bill would penalize schools who were trying to maintain their buildings? Mr. Tilley explained efforts to utilize lottery distributions for building maintenance, and he explained that this bill helped hold schools harmless.

MOTION:

Rep. Rydalch moved to introduce RS14604. The motion passed by unanimous voice vote.

PENDING RULE DOCKET NO. 08-0202-0407

Rep. Nielsen explained the misunderstanding about the motion on this rule last week and stated that the committee needed to vote on a new motion to clarify their intent.

MOTION:

Rep. Nielsen noted no objections to the rule as clarified by Rep. Nielsen and recommended approval by the general committee. The motion passed by unanimous voice vote.

Chairman Barraclough instructed his committee that their responsibility

was to focus on how best to spend public dollars on education. He asked the Representatives to think of their priorities in spending and report them to the committee. On behalf of the committee, he would present their recommended priorities to the Joint Finance Appropriations Committee.

ADJOURN:

There being no further business before the committee, **Chairman Barraclough** adjourned at 9:33 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 3, 2005

TIME: 8:30 AM

PLACE: Gold Room

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted

CONVENE: **Chairman Barraclough** called the meeting to order at 8:35 AM.

PRESENTATION: **Reed DeMordaunt**, President of the Castle Rock Development, Inc., described attending a conference at which Dr. Hershberg revealed his innovative concepts on educational assessment and accountability. He invited Dr. Hershberg to Idaho with support from the Idaho National Laboratory, Battelle, Washington Group, Inc. and the J.A. & Kathryn Albertson Foundation.

Lori Fisher, J.A. & Kathryn Albertson Foundation, introduced the guest speaker from the University of Pennsylvania and Operation Public Education, Dr. Ted Hershberg, to address "Assessment and Accountability Systems to Transform America's Schools."

Dr. Ted Hershberg summarized the state of public education in the United States citing statistics from the National Assessment of Education Progress and American Management Association survey, to name a few, which showed the following:

- Less than 30% of Americans lived in large cities, yet educational techniques concentrated on producing workers for assembly-line production.
- State educational assessment tests fell below national desired levels.
- The American educational system was designed to separate the top 1/5th to go on to higher education and run the nation.
- Graduates in the last decade lacked required basic skills for entry-level jobs.
- The American educational system was focused on minority concerns; under-performers and attaining national literacy at the 5-6 grade level.
- American schools were not getting worse, but they were not keeping pace with today's economic changes.

Dr. Hershberg pointed out that the old American educational system focused on cohorts, volume, consistent time, and throughput with varied results. In the old system ability, sorting out children, memorization, one-

size-fits-all, anecdotal information to drive decision making, and teacher-centered lectures characterized the process. Where as in the new system, the focus turned to individual students, constant level of results and letting the time and resources vary. In this system, effort, everyone achieving standards, problem solving, differentiated instruction, data-driven decisions and student-centered learning would prevail. In effect, the new system would meet and exceed the No Child Left Behind (NCLB) mandates.

Dr. Hershberg next described common myths about school assessments, such as successful education was attributed to high test scores, wealthy communities and family backgrounds with high social, intellectual and rational capital.

What was value-added assessment? Dr. Hershberg said it was first developed for Tennessee by William Sanders in the early 1990's. It was a vast record of grades 2-12 with test scores of every subject, every grade, and every teacher that measured a student's growth during a given academic year. The value-added came from the way the results were analyzed: assessing the contribution by the student and by the teacher through complex statistical computations. These measured and compared projected test scores based on prior academic achievement and compared them to actual scores at the end of the year. Value-added was fair to the student for it was based on prior academic achievement, not social-economic status and influence. It was fair to the teacher because prior academic achievement data already incorporated the student background characteristics and biased absolute test scores.

Dr. Hershberg explained that value-added yielded three outcomes: above, at and below projected range of test scores, which were averaged for all students in a teacher's classroom over a 3-year period. This visualized trends and showed what was happening in the classroom. Value-added enabled schools to close the gap between student achievement groups by removing income and minority status measures on academic growth and focusing on an actual teacher's contribution to growth. It offered a means to compensate teachers based not on a teacher's years of experience and additional education, but on empirical data showing in-class improvement of students. He demonstrated his point with findings from Tennessee, which showed that teacher effectiveness was the single most powerful predictor of student progress—stronger than income, class size, race or family educational background.

For teachers, value-added promoted in-classroom problem solutions, ended the isolation of teachers, fostered community activities in learning, facilitated data-driven decision-making, and boosted morale among educators. In the classroom, value-added brought help to teachers whose students were struggling and improved classroom-level data. For value-added to work, however, the information must be analyzed and used by decision-makers despite political overtones and traditional methods.

Dr. Hershberg then described Operation Public Education. It focused on making public schools work, making them credible to taxpayers, making them fair to teachers and making them focus on student achievement. It held schools accountable for student performance and helped schools reach adequate yearly progress (AYP). He talked about four areas:

assessment, evaluation and compensation, professional development and capacity-building as the corner stones of value-added. He believed that Idaho was further down this road with the Idaho Standards Achievement Test.

Using value-added, he prescribed end-of-year testing with emphasis on problem solving skills and during-the-year testing with formative assessments to guide pedagogical methods and remediation. He proposed observational protocols for teacher supervision and peer review to enhance teacher performance. He also suggested teacher compensation based on a career ladder of apprentice, career teacher, advanced teacher and proficient teacher with each rung having pay grades for student achievement above, at or below projected achievement levels. He acknowledged the need to grandfather some teachers in the system and to differentiate compensation for hard-to-staff positions (such as math science) or for work in less desirable school environments.

Lastly, Dr. Hershberg spoke of mandatory steps to evaluate, remedy or eliminate struggling teachers using administrator and peer reviews. He proposed one full-time employee devoted entirely to work with teachers to improve their craft and recommended up to 12 days of professional development to help all teachers and administrators master new skills. He advocated technical assistance teams for schools and districts and establishing a commission to monitor what happening in schools.

Rep. Mathews inquired how to get parents involved more and if charter schools were the solution? Dr. Hershberg explained that he didn't know how to legislate parental involvement, but suggested improving teacher performance to neutralize parental impact. He recommended holding charter schools to the same achievement standards as public schools.

Rep. Trail questioned if value-added in other countries could be used in Idaho? Dr. Hershberg noted that Great Britain used value-added, but cautioned against replication here due to cultural differences.

Rep. Kemp asked what was the cost to implement the Operation Public Education model? Dr. Hershberg said a system's costs hinged on use of online tools, professional development days, number of coaches and the period of mentoring. He described some subsidies that may be applied.

Rep. Rydalch asked how best to improve the teacher education curriculum? Dr. Hershberg replied that teacher preparation was poor in the past, but said it was in flux. He acknowledged Ohio as the best teacher education state. They used value-added, and all 55 teacher colleges looked at their graduates in classrooms to reflect on their teacher education curriculum. Looking at higher education in general, he noted that the U.S. accounted for only 7% of the world's engineering graduates. He also noted that the movement to standards was causing social change.

Rep. Boe inquired about the major points of resistance to value-added? Dr. Hershberg replied that the old system was cracking, yet it held this out to be a fad. He remarked that corporate and political leaders were calling for change because the "hot breath of global economy was upon us." He

stated that the U.S. was at grave risk if only the top 1/5 of tomorrow's citizens had all of the goodies!

Chairman Barracclough commented on the U.S. Department of Education's awareness of states' experimentations with educational reform. Dr. Hershberg did not believe that NCLB could correct the system. He challenged states to create inventions to deal with NCLB and to raise the bar of achievement.

Chairman Barracclough acknowledge Dr. Hershberg's assistant, Jenny Zapf, and the assistance of the J.A. & Kathryn Albertson Foundation representatives to bring this presentation to the committee.

ADJOURN: There being no further business before the committee, Chairman Barracclough adjourned at 10:35 AM.

Representative Jack Barracclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 4, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Henderson

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted

CONVENE: **Chairman Barraclough** called the meeting to order at 8:37 AM. He asked the committee to review minutes for the meetings on January 27, 28, 31 and February 1.

MOTION: **Rep. Wills** moved to approve the minutes for January 27 as written except for an amendment on page 2. The motion carried by unanimous voice vote.

MOTION: **Rep. Shirley** moved to approve the minutes for January 28 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approve the minutes for January 31 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Pence** moved to approve the minutes for February 1 as written. The motion carried by unanimous voice vote.

Chairman Barraclough announced a field trip Monday to Owyhee Elementary School, a traditional brick-and-mortar school implementing the Safe Harbor Method.

PRESENTATION:
**Report on
Technology
Initiatives** **Rakesh Mohan**, Director of the Office of Performance Evaluations (OPE), summarized the main points of the Evaluation of Technology Initiatives in Public Education:

- Management shift from quantitative (number of computers, hardware, software) to qualitative (how well were we doing).
- Balance more/better equipment with adequate/qualified technical support.

Mr. Mohan then introduced his staff in attendance: Paul Headlee and Rachael Johnstone.

Paul Headlee, OPE, explained the evaluation of public education and the Technology Initiative of 1994. Using graphics, he presented the funding contributions by local, state grants, private and federal sources. He noted the following key points of the evaluation:

1. District technical support should be given attention;

2. Focus of assessment and reporting should be shifted; and
3. No Child Left Behind (NCLB) technology requirements should be clarified.

Next, Mr. Headlee recalled that the Legislature established the Office of the State Board of Education (OSBE) to oversee implementation of the Technology Initiative. The Legislature also appropriated a total of \$104.9M over 11 years for computers and other equipment, Internet access, integration into the curriculum, Idaho Standards Achievement Test (ISAT) and Idaho Student Information Management System (ISIMS). By law, the Idaho Council for Technology in Learning developed a statewide technology plan and administered a public school technology grant program. OSBE and the Council, however, did not fully satisfy all statutory requirements.

Mr. Headlee cited missing key elements for the 2004 Statewide Technology Plan, such as assessment of goals, timelines for achieving goals, criteria for performance measures, guidance on district technical support (staffing) and guidance on financial planning (resources). He explained that districts faced two challenges statewide:

1. Inadequate technical support to maintain computers in schools—553 computers per technician. Some schools even reported utilizing students for technical support. Hence, the evaluation recommended developing standards for adequate district technology support.
2. Unreliable or duplicative district information. The evaluation recommended enhancement of quality controls for more efficient information management and reduction of duplication. In essence, this meant moving from reporting the dollars spent and number of computers acquired to needing to meet capacity challenges, cost-effectiveness, and what yet needed to be done.

Mr. Headlee described methods used by Texas, Florida and Massachusetts to analyze six goals of state technology plans. This method used existing data, inventory of essential equipment and district-focused planning and evaluation. OPE recommended that the Council review this assessment chart and develop a plan for a similar tool for Idaho.

Looking at ISIMS, OPE found that districts had split views on the costs, information management viability and district system capacity. Even though Idaho Code defined ISIMS as a uniform computerized data management system, the 2003 trial software was inadequate and forced replacement with 3 separate programs. This compounded the development problems making the system complex and costly. The Department of Education had requested \$7.7M for FY06 “bare-bones” implementation of ISIMS, but this would not satisfy statutory requirements. Therefore, OPE recommended that if the department pursued a central student information system, the legislative auditors should periodically review the Department’s technology-related financial practices to safeguard state investments.

Mr. Headlee then clarified some misconceptions that the No Child Left Behind Act (NCLB) did not require an ISIMS-type system nor did it require student proficiency on standards by 2006. It required integration of

technology into teaching. To these issues, OPE recommended revisiting Idaho's 8th Grade Information Technology Standards relative to the statewide plan and NCLB.

Additionally, OPE recommended that OSBE annually review and approve a statewide technology plan. OPE also encouraged the Council to cooperate with the state governmental Information Technology Resource Management Council (ITRMC), clarify fund distribution to charter schools and clarify allowable uses for technology grants. Mr. Headlee then listed other information available in the evaluation report.

Chairman Barraclough and **Rep. Boe**, a member of the Joint Legislative Oversight Committee (JLOC), briefed the committee on how JLOC guided the research performed by OPE. Both acknowledged the valuable contribution made by the OPE reports and recommendations.

Rep. Trail questioned some missing elements in the report? Mr. Headlee agreed explaining that the district and state plans did not necessarily agree.

Rep. Shirley, a member of the Idaho Council for Technology in Learning, spoke for the Council approving the OPE evaluation. He described the Council's process for districts to apply for technology grants and how they did not have enough money to satisfy all applications.

Rep. Kemp inquired about the level of student learning to date and if that parameter was being incorporated into this evaluation? She also asked how to prompt the State Board to respond to her letter with questions?

Chairman Barraclough said that he would follow-up on her questions. Mr. Headlee pointed out that the OPE report was just being distributed and that it would be available on their website soon.

Rep. Boe asked Rep. Shirley if the Council received any grant applications solely for technology support? **Rep. Shirley** answered that he had not seen any solely for technology support. He said districts usually used classroom staff to do technology support.

Chairman Barraclough asked how many technicians would be needed? Mr. Headlee said that the state had 166 dedicated technicians, but needed 367 to meet standards.

Rep. Cannon inquired if there were any efforts to use high school students with technological understanding to support the schools? The committee discussed the funding levels and some options before Mr. Headlee replied that some schools did utilize students for technology support, but this resource was not tracked in school reports.

Rep. Nielsen suggested using technology calculators, such as those used by Michigan and the International Society of Technology Standards, to define technology support levels and provide tips for more efficient technology utilization.

Governor's

Randy Tilley, K-12 Analyst for the Division of Financial Management

**Recommended
Education
Budget for FY06**

K-12

(DFM) in the Executive Office of the Governor, presented the committee with a chart comparing the Department of Education's requested budget, the Governor's recommended budget, and proposed JFAC budget for K-12 education in Idaho. He explained the phased reduction of endowment distributions, which was yielding fewer dollars to K-12. He also summarized federal funding, dedicated funding through legislative intent language in appropriation bills and breakouts of funding by budget subdivisions, such as administration, teachers, operations, children's programs and facilities.

Rep. Nielsen asked if these budget numbers were based on a percentile of the state's economic position or tax revenue estimates? Mr. Tilley replied that this request was for resources and did not reflect economic analysis of any kind.

Rep. Mitchell inquired if the federal funds to local school districts represented the total federal dollars for districts or that portion the State Department of Education forwarded to the districts? Mr. Tilley said the amount shown was from the federal dollars after some funds were used by the State Board of Education.

Mr. Tilley proceeded explaining budget line items, such as transportation, the flooring factor, program adjustments, bond levy equalization, technology grants, least restrictive environment and the total of state discretionary funds. He added that these budget figures reflected a smaller number of support units than would be used for FY07 due to the increase in student population statewide.

Chairman Barraclough summarized the legislature's responsibility in designating budgets and encouraged the Education Committee to give recommendations to JFAC to assist with the education budget setting process.

Rep. Trail questioned if the border contracts were used for reimbursements to the Virtual Academy? Mr. Tilley agreed that they would be if they were part of the Virtual Academy. **Tim Hill**, State Department of Education, clarified explaining that the border contracts distributed dollars to other states for Idaho students who attended their schools. This involved six districts and about 150-175 students. He noted that a portion of local dollars were used first, then state money was added. The Virtual Academy received students from out-of-Idaho and those students were required to pay a fee to attend. These students were not counted in the average daily attendance figures for the Academy.

Rep. Shepherd inquired about a fund reduction to McCall-Donnelly School District? Mr. Tilley explained that the lower amount in the floor formula was due to the local property tax base increase. Following-up Rep. Shepherd asked if the district would receive an offset? Mr. Tilley said that he was not sure, but next year the property tax would compensate.

Rep. Boe asked at what point did capped property tax replacement dollars burden the local districts? **Chairman Barraclough** noted that funding was given in the past, but it was used elsewhere. Therefore, the legislature capped the amount to be appropriated. Mr. Tilley

acknowledged a gap between the cap and available funds, so some districts must look to the raising market values for additional dollars. Mr. Hill added that the funds impacted FY05, but FY06 was impacted less due to the property tax estimates. He explained that they also looked at override levies per district, which also reduced the state funding usage. He warned that if this trend continued, funding would shift back to local property taxes.

Rep. Boe wondered about the agricultural exemption connected with the Tamarack development? Mr. Tilley said that this exemption applied to land prior to development. **Rep. Mitchell** pointed out the impact came also from the grazing land associated with Tamarack, but the county assessor had yet to receive the windfall from property tax revenue.

Rep. Rydalch inquired about the high growth in the Meridian District related to funding? Mr. Tilley said the Meridian District faced more of a cash flow problem due to timing of distributions, which used prior year attendance numbers, but the later distributions corrected the fund distribution. He also acknowledged the demand to build new facilities was burdening the local tax payers with bonds, for which the Governor recommended enhancing the bond levy equalization funds. **Chairman Barraclough** noted that Meridian would soon house over 30,000 students and each new school would need dollars to equip the building. This too was a big problem. Mr. Hill explained that Meridian had met their cap on bond levy equalization and were looking at increasing the basis per student or raising the levy limit with elections by patrons.

Rep. Nielsen questioned the technology grant line item? Referring to a survey of districts, Mr. Tilley pointed out that staffing was the critical need in technology.

Rep. Henderson asked if there was going to be any discretionary dollars for superintendents to spend? Mr. Tilley said some dollars would be discretionary, however, that was the first pool of funds to be allocated for critical statewide needs. **Chairman Barraclough** explained that neither discretionary nor dedicated funding guaranteed specific amounts of dollars into the classroom. Also, districts differed on which funding method they preferred. Rep. Henderson then asked if the districts were given directions on how to use funds? Mr. Tilley replied that they tried to provide sufficient budget and meet caps in the revenue stream.

HIGHER EDUCATION

Jane McClaran, Higher Education Analyst for DFM, gave an overview of the higher education budgets as recommended by the Governor. She noted adjustments to the college and university non-standard adjustments, unfunded enrollment workload adjustments, changes in the ISU Performing Arts Center and UI Water Center occupancy rates, and the Governor's recommended fund shift to cover lower endowment funding.

Rep. Kemp asked if there was a break-out of this budget per institution? Ms. McClaran said there was not in this public report, but such information may be available through the Office of the State Board of Education.

Rep. Trail questioned the 20% increase to OSBE? Ms. McClaran said

this was due to a \$1M reduction last year and this recommended appropriation reinstated some funds this year for programs not implemented.

Rep. Mitchell questioned the OSBE budget line item for a deputy attorney general? Ms. McClaran explained that OSBE shared resources.

Chairman Barraclough asked if the OSBE budget reflected support staffing for the Charter School Commission? Ms. McClaran directed the committee to a budget enhancement that provided 1 full-time equivalent (FTE) for Charter Schools in the OSBE budget.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned at 10:33 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 7, 2005

TIME: 8:00 AM

PLACE: Field Trip

MEMBERS: Chairman Barracclough, Vice Chairman Rydalch, Representatives Bradford, Block, Cannon, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Trail, Nielsen,

GUESTS: None

FIELD TRIP: The Committee traveled to Owyhee Elementary School for a tour of a standard brick-and-mortar school that implemented the "Safe Harbor Method."

Representative Jack Barracclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 8, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Cannon, Nielsen, Shirley, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Block, Wills

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted

CONVENE: **Chairman Barraclough** called the meeting to order at 8:37 AM. He commented about how school boards, like the legislature, were the voice of the people. He welcomed the speakers, guests and Idaho School Boards Association (ISBA) members.

**ISBA 14th Annual
Day on the Hill
Presentations:** **Dr. Cliff Green** introduced many in the audience as well as their ISBA President Wanda Quinn, President-elect Ernest Jensen, Vice-president Wendy Horman and past-President Janet Orndorff.

Beginning the discussion, **Wendy Horman** provided a comparative chart on the Idaho Reading Initiative (IRI). She documented in the chart how student excel in the hands of a master teacher. She noted that if a child was not reading at level in the 1st grade, the student may never achieve reading proficiency levels throughout school. She explained how these statistics helped decision makers plan and implement mid-course corrections to improve individual student's reading skills. She also noted that early intervention was less costly.

Beverly Davenport presented slides about IRI success at Cascade Elementary School. This small, progressive school was able to take reading skills that modestly exceeded the state averages in 2001 to 100% proficiency by 2004 among K-3rd graders. She pointed out how kindergarten readers scored lowest among the grades in Fall 2004, which she believed showed test anxiety and inadequate reading preparation prior to attending public school. She attributed Cascade's success to dedicated teachers and volunteers. **Cheryl Newberry** continued the story of Cascade Elementary by detailing their reading program for K-4. She talked about in-class games, such as letter books, sight word footprints, ABC order walk, musical letters, reading practices, spelling drills and games.

Turning to National Assessment of Education Progress (NAEP) snapshots, **Janet Orndorff** explained that each state developed their own assessment test. Idaho first implemented the Idaho Standards Achievement Test (ISAT) in 1992. Overall, Idaho schools achievement was "middle of the pack" in reading and mathematics. Among 4th grade

reading scores, Idaho's fourth graders nearly matched the national 62 percent. In 8th grade, the score was slightly higher than the national 76 percent. Looking at mathematics, fourth graders were 4 percentiles above the national average, where as the 8th graders scored 6 percentiles above. When subgroups were analyzed, she reported that 4th and 8th graders consistently were higher at low-income schools and only one elementary school in Idaho scored a "needs improvement" assessment. Interestingly, she said that 4th and 8th grade white students scored lower, but they did not understanding this statistical anomaly. Likewise, some other trends were inconclusive regarding grades, race and gender.

Wanda Quinn described the two tools of Idaho's comprehensive assessment program: Idaho Reading Indicator (IRI), which preceded the federal No Child Left Behind Act (NCLB), and the Idaho Standards Achievement Test (ISAT), which followed NCLB. She commented on the growth model: Value-Added from Tennessee and summarized IRI and ISAT authorization, grades, scoring, remediation, etc. She contended that all children needed both growth and proficiency, no matter how they scored.

Chairman Barraclough commented on the legislation that prompted ISAT. He recalled how the House Education Committee "made it happen."

Dr. John Murdoch, described the success of intervention based on ISAT scores at Idaho Falls School District 91. He cautioned the committee about some interpretations of the data looking at over-time figures, individually scores or averaged scores. He talked about trying to identify ways to close the gap between the 75th percentile and 100th percentile scores. He described the success of specific interventions at Temple View and Hawthorne Elementary. Even though Skyline High School was on the "needs improvement" status, he said it was not a failing school because the scores of only six students caused this ranking. He described intense remediation required to pickup the lowest percentile students, such as summer school, smaller classes and one-on-one instruction. Unfortunately, all of these efforts called for extra instruction, which cost money.

Rick Abel commented on the Hansen District and the difficulties of helping a highly mobile student population achieve academic proficiency. He attributed their students' success to the experienced staff in their schools. He also commended the work of one certified teacher who was hired to worked specifically with targeted youth who needed intervention. Of 20 students, all but one dramatically improved their ISAT reading, language and math scores over one year. That single student declared that "he (was) tired of taking tests!" Mr. Abel described Raft River Junior/Senior High School achievements applying after school tutoring with food served. He also talked about Oakley Junior/Senior High School and Kimberly School District accomplishments.

All in all, Mr. Abel attributed successful intervention to these factors:

- Quality staff
- Title 1 funding
- After school programs
- Effective professional development
- Needs based instruction

- ISAT recovery classes
- Summer school

In addition, Mr. Abel suggested 30 minutes of daily physical education for all elementary students; extended school day, school year and peer mentoring programs; and adding five paid days to all teaching contracts for professional development and growth. Concluding, he said that schools needed more time and additional funding to make the new programs (IRI, Standards & Accountability, ISAT, ISIMS, NWEA, SIP, SDE and NCLB) work for kids.

Jerry Keane described the Student Academic Assistance Programs implemented by the Post Falls School District to help students demonstrate proficiency or advanced skills pertaining to ISAT and Idaho State standards. The programs included 9 separate classes of applied math and English, special summer school classes, a special computer lab with self-directed instructional software, before and after school tutoring, and training the high school staff to facilitate reading in content classes. They focused on helping sophomores and juniors achieve proficiency. The programs were led by their counseling department and employed a part-time "case manager," a counselor intern, who met with the students and parents to assign specific academic assistance. The district funded these efforts with general fund revenues and supplemental levy dollars. He believed that the case manager was the key resource. Unfortunately, the counselor intern will be leaving, and they are looking for ways to fund a replacement.

Rep. Trail asked how to avoid the fall-off of reading scores over the summer? Ms. Quinn said that IRI funds helped. **Julie Dalgreen**, Blaine county commented that they were considering starting their summer school in July, not June, to merge better with fall class start-up.

Rep. Boe inquired what happens to the child who did not attend kindergarten? Ms. Quinn requested that kindergarten become a state requirement with full-day attendance for under performers. Mr. Keane claimed that intervention at this age would quickly close the achievement gap.

Rep. Mitchell wondered if the schools tracked their graduates into college? Ms. **Alex Sundali**, Blaine County, responded that they conducted life tracking of their high school graduates. This entailed a survey sent to the graduates during the first and fifth year after high school.

Rep. Rydalch asked what was the birth date limit to attend kindergarten? Mr. Murdoch said the state required the child to be 5 years old by September 1 of the year they attend kindergarten, but a younger age was allowed by statute for gifted and talented children with parental consent.

Rep. Cannon recalled the traditional disciplinary rules and codes of dress/conduct of the past. He wondered if these could be reinstated? Ms. Sundali answered that her school did have dress and disciplinary codes.

RS14799

Resolution to Encourage International Study & Awareness

Rep. Trail stated that today's children must take part in a global economy and they needed teachers who were prepared to teach them about other cultures. He noted that one out of six jobs were tied to international trade with countries such as China or Japan. RS14702 proposes a course of instruction and standards for international studies, and it authorizes the formation of a commission to address this program.

MOTION:

Rep. Boe moved to introduce RS14702 and RS14799.

Rep. Rydalch questioned the language of RS14702 to make this a legal requirement saying it may breed more law suits? Rep. Trail agreed to alter the language by eliminating all "shall's" and substituting "may's."

Rep. Mathews asked if the RS could be altered making it a resolution? Rep. Trail said he would have to confer with his co-authoring group.

**SUBSTITUTE
MOTION:**

Rep. Rydalch moved to return RS14702 to the sponsor to change the wording such that it would eliminate all "shall's" and substitute "may's." The motion passed by voice vote.

MOTION:

Rep. Shirley moved to introduce RS14799. The motion passed by unanimous voice vote.

RS14838

Resolution for Civic Learning Summit

Rep. Trail said this RS encouraged young people to become involved in government. He felt that public schools needed to rededicate educational efforts in civic training and citizenry.

Rep. Mitchell questioned where the private funds came from? Rep. Trail replied that other states used funds from foundations and corporations to sponsor summit meetings.

MOTION:

Rep. Boe moved to introduce RS14838. The motion passed by unanimous voice vote.

HOO98

Randy Tilley, Division of Financial Management Analyst, said that this was an enhancement to the bond levy support established by law. This bill would enable school districts to opt to use the percentage of students using the free and reduced lunch program as one of the economic indicators used to determine the reimbursement rate for bond interest subsidies.

Chairman Barraclough asked if this would amount to a \$100,000 impact from the lottery or general fund? Mr. Tilley replied that it would be lottery funding, which would continue through 2006. He added that some districts had met their maximum support level, so the actual impact would be more like \$50,000.

Rep. Shirley inquired if the State Board of Education supported this bill? Mr. Tilley said he had heard no objections as it would be advantageous to the districts.

Dr. Mike Friend, Executive Director of the Idaho School Boards Association, supported this bill saying that it gave districts an option that would help them meet increasing needs. He acknowledged the downside of this bill, which as a reduction of lottery funds to all districts.

Rep. Nielsen asked why were they making this change? Mr. Tilley believed that this targeted poorer school districts that resided in more affluent counties. The countywide economic measures did not reflect the economic conditions of a single district

MOTION: **Rep. Shirley** moved to send H0098 to the floor with a DO PASS recommendation.

Rep. Cannon stated that he would oppose this motion because it would divert current fund allocations to schools.

Rep. Trail commented that district unemployment insurance figures were not available, therefore, this was a viable alternative. Mr. Tilley added that the re-authorization of No Child Left Behind (NCLB) changed the reporting criteria for free and reduced lunches making this a reliable barometer.

Rep. Nielsen questioned if the language in the bill meant that either figure could be used? Mr. Tilley said that which ever indicator that was the most advantageous may be used.

SUBSTITUTE MOTION: **Rep. Mitchell** moved to hold H0098 in committee for one week. The motion failed by voice vote.

VOTE ON MOTION: The committee passed by voice vote the motion to send H0098 to the floor with a DO PASS recommendation.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned at 10:50 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 10, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted

CONVENE: **Chairman Barraclough** called the meeting to order at 8:33 AM. He asked the committee to review minutes from February 2, 3, and 4.

MOTION: **Rep. Nonini** moved to approve the minutes of February 2, 2005 as written. The motion carried by unanimous voice vote.

Rep. Kemp asked to amend a comment on page 3 of the minutes from February 3, 2005.

MOTION: **Rep. Mathews** moved to approve the minutes of February 3, 2005 with the amendment as requested. The motion carried by unanimous voice vote.

MOTION: **Rep. Shirley** moved to approve the minutes of February 4, 2005 as written. The motion carried by unanimous voice vote.

Chairman Barraclough praised the House Education Committee last year for single-handedly assuring the passage of the bill that enabled the Idaho Standards Achievement Test (ISAT). He also congratulated the current committee for having the oldest male legislators (Rep. Mitchell and Rep. Henderson) and the greatest number of veterans in one committee.

**PRESENTATION:
IDAHO DISPLACED
HOMEMAKER
PROGRAMS** **Dr. Mike Rush**, Administrator for the Idaho Division of Professional-Technical Education (PTE), introduced his PowerPoint aid and Shirley Silver, Director of the Center for New Directions (Special Projects Coordinator).

Shirley Silver gave the background on the 1980 legislation, Equal Opportunity for Displaced Homemakers Act. This law authorized the Division of Professional-Technical Education to establish counseling centers for displaced homemakers in each region of the state. A dedicated fund from divorce fees, plus state and federal funds, financed these "Centers for New Directions," which were located on technical college campuses. The Centers provided assessment, career and personal counseling, and pre-employment services. Coordinating services

with other delivery systems in their region, the Centers provided short-term training, one-day workshop and divorce orientation and parenting classes.

Looking at the population being served, Ms. Silver reported the following:

- 3% increase in the number of Hispanics served since 1991
- 10% of single parents served were single men
- Over 2,000 children were impacted by the program
- Majority of their served population was low-income

Ms. Silver stated the Centers' goals were to help participants become economically and personally self-sufficient through training and improved employment. She said nearly 71% of their participants entered into training or gained better employment. In addition 8% of their participants graduated from pre-employment classes and 3% completed their GED's. She told the committee about some individual success stories.

Marking the 25th anniversary of the first Center, which began as a pilot project at the College of Southern Idaho in 1980, the program has served over 58,000 single parents and displaced homemakers. Of those, 14,568 entered training program and an additional 12,729 entered the workforce, which yielded a 65% success rate. Another measure was nontraditional training and employment in which over 2,000 women had pursued technical training. By paying testing fees and working with participants, the Centers helped many achieve a GED.

Rep. Trail asked if more could be done in high school to reduce the number needing this assistance? Ms. Silver responded that they did work with high school. They encouraged nontraditional careers for women and have found that when young women have goals, they were less likely to get married or become pregnant.

Rep. Boe inquired about the fathers assisted by the Centers? Ms. Silver said since they lost their Perkins Foundation funds, they focused on displaced homemakers even though they served both genders.

Rep. Nielsen noted the increased number of families who received child support and the flat line of food stamp recipients since 2000. He asked if that was due to the work of the Centers? Ms. Silver answered that it reflected a change at Health and Welfare to aggressively pursue child support payments. The Centers coordinated services in the region and tried to avoid duplication with Health and Welfare as well as Job Service.

DIVISION OF PROFESSIONAL- TECHNICAL EDUCATION

Using a video clip from the Lord of the Rings, **Dr. Mike Rush** affirmed the basis of the Division of Professional-Technical Education (PTE) was to help ordinary people with extraordinary tasks and to forestall the impetus to give up. Dr. Rush outlined the structure of the Division and its overview by the State Board of Education. He stated the mission to encourage Idaho's youth and adults with technical skills, knowledge and attitudes for successful performance in the workplace. He described their general programs, post-secondary technical colleges and under-prepared adults programs.

Looking at program growth, Dr. Rush reported significant PTE growth with

a total of 223 new programs. He cited a 69% increase in enrollment since 1994 in professional-technical programs and successful growth in the number of schools offering courses. Looking at charts, he demonstrated increased enrollment in technical preparation courses in high schools. Another growth in prof-tech was on-line health professions programs, which were started at Lewis-Clark State College.

Serving the growing need for career guidance, PTE assisted the Idaho Career Information System (eCIS), an on-line career data base, scholarship assistance and assessment tools. PTE also made great strides in workforce training by assisting employers and employees with specialized job training as well as technical college programs at North Idaho College, Lewis-Clark State College, Boise State University, College of Southern Idaho, Idaho State University and Eastern Idaho Technical College.

Turning to the global economy, Dr. Rush pointed out the shortage of highly skilled workers and workforce challenges. These challenges emphasized problem solving and teamwork, advanced skills and use of new technology. He remarked about the competition from other countries with a greater supply of young, well-educated workers and the under-emphasis on career-technical education in the United States. He estimated that there would be a deficit of 12 million workers by 2020.

Dr. Rush presented some national trends to the committee. When polling 100 high schools in 26 states, researchers found that 84% of girls and 67% of boys felt it important to continue education beyond high school. Of the same group, 70% of the girls said it was useful to do well in school while only 57% of the boys agreed. Dr. Rush commented that vocational-technical education could make learning real for these students. He then concurred with Anthony Carnevale who said that applied learning is the best pedagogy and our schools would be more productive if they abandoned their academic "toot."

Dr. Rush then showed if low test-scoring students were earmarked for career-technical classes, they were five times less likely to drop out of school. In addition, he believed that students could "major" in both PTE and academics. After high school graduation, vocational-technical education offered a much needed alternative.

Reviewing PTE's budget, he discussed major initiatives in professional-technical education, the budget increases for FY05, and the current FY06 maintenance level budget request with external non-standard adjustments for workload adjustment, professional-technical schools, college capacity building and Eastern Idaho Technical College funding. He explained two valuable enhancements: the Career Information System (eCIS) at \$81,800; and unfunded capacity building at nearly \$3M. He also affirmed the value of lump sum appropriation to technical colleges and carry-over authority in their budget.

Chairman Barraclough asked about those students who did not graduate from college? Dr. Rush said most students needed some type of post-secondary experience as it helps them work while attending college.

Rep. Mitchell asked if the number of FTE remained the same at PTE?

TEACHER EDUCATION REFORM

Dr. Rush said that they had fewer administrators since 2000 and the agency was down 40% since 1980.

Continuing, **Rep. Mitchell** asked if they had seen an increase in the dropout rate since No Child Left Behind (NCLB)? Dr. Rush could not answer, but noted that their GED program had increased enrollment.

Rep. Trail inquired about enrollment data? Dr. Rush said the data showed constant enrollment, but anecdotally he knew of a professional-technical teacher who was required to drop vo-tech classes to teach remedial math and science courses. He described one movement to take low performing freshman and move them into applied classes where they were exposed to academic course work along with applied. This reduced the dropout rate, especially when given more math. He suggesting getting more professional development to teachers to help motivate these kids. Dr. Rush also noted that the Meridian Charter School was Idaho's only full-time professional-technical high school. He said the students were doing well there in both academic and technical training.

Rep. Chadderdon asked why should tax payers of Kootenai County support a technical college? Dr. Rush said because they choose to do so.

Rep. Neilsen inquired if PTE tracked job placement and job opportunities among their graduates? Dr. Rush said they did track placement rates and encouraged schools with solid placement rates with dollars. He noted that capital equipment was a funding dilemma. They needed up-to-date equipment to train professionals so they could enter the workforce prepared to use the latest equipment. He explained that businesses and industrial leaders donated thousands of dollars to the professional-technical program and provided internships in their facilities for students.

Rep. Boe introduced Dr. Larry Harris, Dean of the College of Education at Idaho State University.

Dr. Larry Harris offered the committee members a synopsis of teacher preparation at Idaho State University (ISU). In their new program, he explained a pre-admission curriculum of three courses and admission requirement that included 2.75 GPA, qualifying scores on Praxis I, 26 credits in general education, successful completion of 40-hours of classroom field experience, and pre-admission interviews.

After being admitted in the College of Education, students were required to complete teacher education upper division courses as well as academic majors and minors before graduating. He noted that soon the admission GPA would be raised to 3.0 and turn secondary education areas of major into arts and science majors so teachers thoroughly understand their subject matter. At the elementary teacher preparation level, they would require an Idaho History course, 12 credit hours of social science, 12 credit hours of science and at least 6 credit hours of mathematics, plus a required component of 20-24 credits for a minor in math, English, science or foreign language. He warned that double-dipping would not be permitted in these required credit hours.

Dr. Harris praised the ISU teacher education students for maintaining

GPA's comparable to students who were solely majoring in those topics. He also noted that ISU had a 100% pass rate on all required assessments (Praxis II, Technology, and Comprehensive Literacy). Throughout the teacher preparation curriculum, students were required to complete a variety of assessments that measured their abilities relative to the knowledge, skills and dispositions necessary for professional educators. He also spoke of their plans to incorporate the ISAT into evaluation of the teacher education program at ISU.

Dr. Harris described two alternative teacher certification routes: an accelerated program to complete certification in one calendar year and a yet-to-be-released alternative that cooperated with school districts to provide the experiences that would lead to teacher certification while being employed in a public school. Another innovative program was the collaborative efforts with the College of Southern Idaho to prepare special educators. This was a critical need due to the volume of special education students in Idaho.

As for ongoing teacher education, ISU offered masters and doctoral programs. Dr. Harris revealed a new master's degree with a new pedagogy and content study focus. He also described their intent to return to a laboratory school concept, which may be funded following the charter school model.

Finally, Dr. Harris pointed out some myths and realities about teacher education. He also showed an Idaho map locating where ISU teacher graduates were employed.

Rep. Rydalch asked if the 12 credit hours in English included how to teach reading? Dr. Harris said that it did not. Those hours were from the English Department and the literacy education courses were in the teacher education curriculum for an additional 9 credit hours.

Rep. Cannon wondered if there was an increase/decrease in students wanting to become teachers? Dr. Harris noted that 20 years ago there was a decline in students majoring in teacher education, but it was now increasing. Overall, he felt that there was little change in numbers, but the students were coming more from people who were seeking a career change, rather than training for their first career.

Chairman Barraclough inquired if higher standards helped retain teachers? Dr. Harris affirmed that he hoped so. Retention in the schools was more a function of work conditions, especially when looking at special education. Most special education teachers burned out in 3-5 years. He believed that today's teachers were better prepared, but retention compared to teacher education standards was not measurable at that time.

Rep. Boe inquired if we were asking enough of our high school students? Dr. Harris acknowledged that Idaho graduates continued to place 17th or 19th in the world, but our best students out performed the world. He felt the need to give the best education to all students and not water-down courses.

Rep. Block asked if high school students were better prepared in the last few years and were their GPA's better? Dr. Harris explained that GPS's normally range up or down by only 0.2 points per group. As for being better prepared, it was hard to tell because the average age at ISU was 27-28 year olds, not just recent high school graduates. He affirmed the need to train all teachers in math, science and technology.

Rep. Trail questioned if we were training teachers for other states due to the level of Idaho's teacher salaries and benefit packages? Dr. Harris said that presently their graduates were not leaving Idaho in vast numbers because their graduates were integrated into the communities with homes, farms, and families. He did acknowledge, however, that every year schools from California, Nevada, Washington and more came to ISU job fairs with contracts in hand for their graduates. He noted that a special education graduate could get a job anywhere and probably get more money.

H0016

Karen Echeverria explained the purpose of H0016 to bring all college, universities and executive agencies of the State Board of Education under the same guidelines for the removal of an employee. This bill would bring the Professional-Technical Education and Idaho School for the Deaf and the Blind into conformity.

MOTION:

Rep. Cannon moved to send H0016 to the floor with a DO PASS recommendation.

Ray Lockary testified about discontent over the termination of Dr. Angel Ramos as the superintendent of the Idaho School for the Deaf and the Blind. He questioned the superintendent's job being an "at-will" employee subject to the rule of the State Board of Education (OSBE). He felt that the Board did not fully understand the needs of the school's population and noted that the school was on probation. He presented documents (attached) concerning H0016 and the situation at the school.

Pennie Cooper, Executive Director for the Council for the Deaf and Hard of Hearing, acknowledged that Mr. Lockary had brought this issue before the Council last December. She believed that Idaho Code required the OSBE to show cause or wrong doing to remove the superintendent. This bill would enable the OSBE to remove the superintendent or any other employee in accordance with the policies of the Board, not according to promulgated rules of the Administrative Procedures Act. She stated that the Council objected to this bill to make the superintendent serve at the pleasure of the Board. She also stated that the Council wished to see the school governed by people who had some experience and expertise in deaf education. (Testimony attached)

Ms. Echeverria acknowledged the concerns but said the Board was trying to bring consistency among the schools. She explained that any policy change by the Board was done after two public meetings, which was open for anyone to comment.

Rep. Shirley asked if other employees were included and if it included tenured staff at the universities? Ms. Echeverria replied that other employees were included and that each university had its own policy

regarding dismissal of tenured faculty.

Rep. Pence commented on the stress within the Gooding community about the superintendent's dismissal. She wished to get someone in the position who would be an advocate for the deaf and blind students and serve this unique school. She asked for more time to consider this bill.

Chairman Barraclough asked where the oversight came from? Rep. Pence replied that it was the OSBE, but they needed particular standards in this case. She explained that teacher education for the deaf was not taught in the College of Education, but rather in the audiology program. She requested time to establish guidelines.

**SUBSTITUTE
MOTION:**

Rep. Boe moved to hold H0016 in committee until time certain on Friday, February 18, 2005.

Rep. Mitchell asked if the committee could acquire minutes from the OSBE that related to this issue and if the thrust of H0016 was discussed? Ms. Echeverria said the Board minutes related to amending a policy; this bill did not contain a policy statement. She said the policy was on the consent agenda, so no discussion ensued. **Rep. Mitchell** then asked if there was an opportunity for outsiders to comment? Ms. Echeverria said anyone could comment, but the board approved the policy on the consent agenda after posted announcement of the topic.

The committee approved the Substitute Motion by unanimous voice vote.

ADJOURN:

There being no further time available before the House convened on the floor, Chairman Barraclough adjourned the meeting at 10:55 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 11, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Nonini

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted

CONVENE: **Chairman Barraclough** called the meeting to order at 9:15 AM.

RS 14944 **Resolution to Encourage International Study & Awareness**

Rep. Rydalch told the committee that this was a pass-through bill. She asked the committee to send the bill to print with the understanding that it would likely be assigned to another committee.

Rep. Boe inquired if this information was already available? Rep. Rydalch said she thought this needed to be reviewed since the law was adopted in 1983. With modern technology, she felt it needed to be reviewed.

MOTION: **Rep. Block** moved to introduce RS 14944. The motion passed by unanimous voice vote.

PRESENTATION: Director **Brent Reinke**, Idaho Department of Juvenile Corrections (DJC), described his personal background and gave the committee glimpses of what was happening in juvenile corrections in Idaho. He explained that juvenile justice related to the overall picture of juvenile corrections in Idaho involving the counties, schools and the Department. The Department dealt with juveniles who were placed in the custody of the State by the courts.

Director Reinke introduced Dr. Glenda Rohrbach, the State Education Program Manager, and Dr. Ryan Hulbert, the Clinical Services Administrator. Director Reinke stated the mission of DJC "to prevent and reduce juvenile crime in partnership with communities." Of Idaho's juvenile justice population, the Department had custody of just 6% with the remainder being served in 44 county probation and 12 detention centers. He showed charts depicting Idaho's 10-17 year-olds population of which over 82% never came into contact with law enforcement and only 0.2% were incarcerated.

Looking at the problem areas for juveniles, Director Reinke ranked conduct disorder the highest (77%) followed by drug and alcohol problems (52%), mental health (44%) and adjudicated sex offenses

(27%). He discussed re-offenders during the first year of probation and the rule of 19, which required three misdemeanors or 2 felonies before being remitted to custody. He said they had 202 juveniles at a cost of about \$10M; a significant investment for the State. He talked about juveniles making restitution payments to their victims and fulfilling community services.

He described a survey conducted by a national firm to help identify what to do in juvenile corrections in Idaho. He noted Idaho's special needs involved youth being victims of child abuse and neglect, aftercare challenges, sexual misconduct without adjudication, serious juvenile offenders, and serious emotional disturbance.

Rep. Boe asked what was required to commit a youth to DJC? Director Reinke answered that a court order was required. He also explained that with first offenses, the county prosecutor decided if a petition would be filed with the court or have the youth work through a community diversion board in cooperation with the youth's parents, school, church, etc. If a youth was a repeat offender, the judge might also opt for alternatives in lieu of incarceration.

Rep. Block questioned how many cases were related to drugs or alcohol? Director Reinke said 52%, but the number may be higher if you looked also at the use of drugs and alcohol in the youth's environment.

Chairman Barraclough asked why the cost of youth incarceration was greater than for adults? Director Reinke said he would cover that later.

Rep. Boe inquired about the number of youth suffering from either physical or sexual abuse? Director Reinke cautioned that DJC defined these in a special way. He said that nearly 99% of the girls in their facilities had been physical or sexually abused; this required special handling within family dynamics.

Dr. Ryan Hulbert explained interviews and assessment of each youth upon admission to DJC. He explained treatment services for juveniles with diagnosed mental illness (44% of the juvenile corrections population), of which 32% had serious emotional disturbances. Of the mentally diagnosed individuals, 12% could be treated in DJC facilities. The other categories needed medication and regular counseling. He acknowledged that DJC was a repository for mentally disturbed children because there was no other place for them Idaho.

Rep. Trail asked what it cost to send a juvenile out of state for special care? Dr. Hulbert replied about \$170 a day for contract providers.

Rep. Boe questioned how juvenile delinquents were handled in the schools? **Dr. Mike Friend**, Executive Director of the Idaho Association of School Administrators, said the schools did interact with these youth at some point. He answered that some received special education services in the schools. He pointed out that the schools worked with Health & Welfare and DJC for early intervention and identification.

Rep. Block pointed out that even a kindergarten teacher could recognize

some problems for children and inquired if early intervention at home was a good idea? Director Reinke agreed.

Dr. Glenda Rohrbach discussed achievement scores of DJC youth related to national scoring norms (RIT is a learning continuum that match the scoring of ISAT; a Rach unit score by subject area). She pointed out that in the juvenile correction system, they had a 1:12 student to teacher ratio, but they were not prepared to handle speech and language therapy. She acknowledged that math was below base level and a real challenge for DJC. She also noted that No Child Left Behind (NCLB) did not govern DJC like it did public schools, however, DJC still met those requirements. In DJC, they focused on educating juveniles through special education, GED and high school diploma. Their GED success rate was 87-93% in the facilities.

Rep. Trail asked if DJC tracked the individual offender into adulthood to see how they fared after completing a GED? Dr. Rohrbach said usually not since the youth returned to the county after release from DJC. She hoped to use a vendor to help follow-up on youth. Also, they found that for those who had not completed a GED, returning to public school was an important factor in success.

Rep. Cannon inquired if the financial responsibility for a juvenile remained with local people or the State? Director Reinke said it was a state "opportunity," and they used general fund dollars to finance their educational efforts.

Chairman Barraclough noted the low re-offender numbers within one year. Director Reinke said that was achieved because of their cooperation with local intervention. He continued giving the breakdown of the averaged \$166.86 cost per day per offender in DJC. Chairman Barraclough then asked if the Director saw collaborative efforts among state agencies to try to resolve a youth's problems? Director Reinke said he believed that now the agencies were working much better together, but it all rolled down to each agency competing for dollars from the same financial pool. He said the 27% of DJC budget went to local government where dollars helped the kids in their home environments. Next Chairman Barraclough asked about drug courts. To this, Director Reinke said that he preferred not to criminalize drug and alcohol offenses for juveniles. He also noted that in Idaho, the juvenile justice system was the repository for juvenile mental health individuals, and they did the best they could.

Rep. Cannon asked if there was any way to have the parents and children bear the cost of juvenile justice intervention: Director Reinke said that restitution funds went directly to victims. They did, however, have voluntary programs for parents to help pay costs of incarceration.

Rep. Trail asked the director to talk more about the alternative high schools in Idaho? Director Reinke said that a majority of juveniles in DJC attend an alternative high school in their home communities. He acknowledged the limited school year of traditional schools, which left a time gap for kids to fall off track, and said that did not occur with their full 365-day program.

Rep. Kemp asked about the total dollars spent per student in the system? Director Reinke said the figures included contracts and county dollars. Rep. Kemp then asked if DJC dollars and public education dollars funded the same student? Dr. Rohrbach said DJC did not receive general state education dollars; their education programs were paid completely by the DJC budget.

Rep. Mathews further inquired if the costs were based on enrollment per unit? Dr. Jana Jones, State Department of Education, answered that the school districts funding was based on attendance; DJC students were not counted. These youth's education costs were out of the DJC budget. She said that county correctional dollars also went to the schools.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned at 10:10 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 14, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted

CONVENE: **Chairman Barraclough** called the meeting to order at 8:05 AM and asked the secretary to discuss the arrangements for two field trips that week. The secretary described the trips and took a head count of Representatives who would ride in the Charter School vans.

RS 14830 Statutory Support Programs for Certified Teachers

Dr. Cliff Green, Idaho School Boards Association (ISBA), explained three categories of mentoring for certified teachers and how this RS would alter those requirements in Idaho Code Section 33-514. He noted the slim budget for FY06 and the importance of passing this draft legislation to forestall potential litigation by entities trying to compel compliance. He said that ISBA and publicly elected school officials asked for the committee's support of this RS.

Chairman Barraclough recognized the difficulty with mentoring and questions by junior teachers about receiving the mentoring, which was stipulated in Idaho Code and budgeted. He suggested forming a committee to investigate implementation of mentoring in schools and tracking the funding for this purpose.

MOTION: **Rep. Rydalch** moved to introduce RS14830. The motion was approved by unanimous voice vote.

PRESENTATIONS: **Dr. Mike Friend**, Executive Director of the Idaho Association of School Administrators (IASA), gave a brief introduction to the nonprofit association, its four levels of members (directors, superintendents, principals and school administrators), and its programs. He described Project Outreach, which focused on mental health treatment for children, professional publications, such as "Perspectives," "Special Ed News," "What are the Facts?" and the IASA website.

Referring to special IASA projects, he talked about the School Administrator Evaluation Model and discussed parameters within it to evaluate a school administrator's performance. Next, he explained the Idaho Digital Learning Academy (IDLA), which was created in 2002 within

the State Department of Education. IDLA, a statewide, web-based educational program, was set up to provide all Idaho students (traditional, home schooled, at-risk, gifted, and adult learners) with greater access to a diverse assortment of courses. The program also provided college credit through concurrent enrollment. Lastly, Dr. Friend described several outstanding educators and the awards presented to each.

Chairman Barraclough praised the IASA for their work to separate classroom and non-classroom staff evaluations and reports. He also appreciated the organization's efforts to address legislative concerns about accountability and funding. He then asked what the association could do to help teachers and administrators communicate more effectively? Dr. Friend said they hoped their new evaluation template, fact sheets, position definitions and cost accounting could help bridge this communication gap. He commented that building-level administrators were caught in the middle between the elected trustees and the workforce in the schools, and unfortunately, someone had to bear the responsibility of saying "no."

Chairman Barraclough also asked if having the IDLA as a line-item in the budget was a hindrance? Dr. Friend said that it needed to be a separate budget item because it served all Idaho schools and students.

Donna Vakili, Executive Director of IDLA, reported that national studies showed in fighting among school was common. IDLA crossed bridges among schools and served the students statewide making it a true cooperative effort.

Looking at budget line items, **Chairman Barraclough** asked Dr. Friend and IASA to furnish him with a prioritized list of non-statutory budget expenditures. Dr. Friend agreed to do so.

Rep. Mathews asked IASA to deliver an interpretation of intent language for budget items? Dr. Friend stated the need to retain salary competitiveness, technology and adequate support for technology, and flexibility to spend dollars for remedial intervention without stripping dollars from other efforts in education, such as through funding IDLA.

Rep. Kemp questioned if IASA tracked how other states were addressing suicide and mental health challenges in public schools? Dr. Friend replied that the Idaho Association of Special Education Administrators worked closely with the Department of Health and Welfare (HW) and the Special Education Division of the State Department of Education (SDE) to make the best use of HW dollars. They did not track what was being done in other states.

Rep. Kemp then asked if they would be willing to work with HW, Juvenile Corrections and SDE to generate a report for the legislature next session about how other states addressed suicide and mental health issues in public schools. Dr. Friend replied that they had a statewide children's health committee, and he would pursue this investigation and report back to the legislature.

Viewing IDLA as a budget line item, **Rep. Nielsen** asked if computers

could be used for multiple purposes? Dr. Friend said that IDLA computers were not designated for students use, but for faculty and staff to communicate. He noted that some schools did use the computers for both student and faculty use.

Idaho State Library (LiLI)

Ann Joslin, Idaho State Librarian, described the mission and bureaucracy of the State Library. She described how the library board redefined their mission in 2002 focusing on cooperation among the State Library, state higher education libraries, local public libraries and local school libraries. She showed a video demonstrating how the State Library improved services for patrons at local libraries. She talked about the "Read to Me" program for infants and toddlers, an online "live chat" at the Boise Public Library, statewide publicity campaign materials, and grants/scholarship funds for local applications.

Ms. Joslin discussed the Libraries Linking Idaho (LiLI), an umbrella term for projects developed jointly between the Idaho State Library and the Idaho library community. She described LiLI-D, free access to databases of journals, newspapers, reference books, pictures, maps and other formats. LiLI-D operates "24/7" at an annual cost of \$.40 per Idahoan. The State Library covered the license fees for all participating libraries.

Ms. Joslin introduced Idaho Library Association Legislative Committee Co-Chairs Vicki Kreimeyer and Kevin Booe, and Legislative Committee Member Cheri Rendler. She then introduced the next presenter Ellen Weygint, a science teacher at Hacker Middle School in Mountain Home.

Ellen Weygint, talked about teaching at a Mountain Home middle school and working to earn her Media Generalist endorsement. She proclaimed the importance of LiLI-D to alleviate the frustration and difficulty of sorting through the mass of information on the Internet; LiLI-D connected students to valid, credible sources.

Ann Joslin continued describing LiLI-Unlimited (LiLI-U), an electronic statewide catalog and interlibrary loan service. She explained how local libraries paid a fee for this Internet service joining them to an international database of 20,000 libraries globally. Presently, 57 libraries participated in LiLI-U in Idaho.

Julie Woodford, Director of the Burley Public Library, highlighted her personal career development culminating in a master's degree in Library Science and Information Management. She told a story about a rural patron's purchase of a \$60 a year library card and what a bargain that was compared to purchasing books. She explained how LiLI-U opened school children's access to literature and reference information.

Ms. Joslin concluded pointing out how Idaho libraries were on the front lines teaching kids and adults how to use high-tech tools, such as the LiLI database and LiLI-U. She commented on keeping their services and mission up-to-date through statewide library conferences and a possible sustainable school library development program.

Chairman Barraclough questioned if they had adequate funding, did they assist with reading efforts beyond third grade, and were they

reaching the potential of libraries? Ms. Joslin commented on zero appropriations for capital expenditures for two years running. To remedy this, they were requesting \$40,000 one-time funding for capital. As for reading, she said the State Library's "Read to Me" program did not extend beyond third grade and they used grant and general fund dollars for this program. Lastly, she explained that local school libraries were under the jurisdiction of the local school district and she could not comment on those facilities. She hope to enhance their communication with school librarians for a broader, sustainable library system.

DEAF IN IDAHO SCHOOLS

Pennie Cooper, Executive Director for the Idaho State Council for the Deaf and Hard of Hearing, described the council established in 1991 to improve the quality of life for deaf or hard of hearing Idahoans by providing information, and increasing services and access to them. She noted that their busiest referral source was Qwest who distributed their 800 telephone number. She described their early hearing detection and intervention efforts with newborns, parent-to-parent support groups, seven demonstration and loan centers for TTY's and amplified phones and alerting systems, and development of standards for educational interpreters.

In schools, Ms. Cooper emphasized the need for early and proper identification of hearing loss, appropriate intervention services, employing qualified interpreters, and better classroom acoustics. She cited infants identified with hearing loss at 1.5 per 1,000 births.

Looking at assistive technology help by regions, **Rep. Boe** questioned why Region 6 received less? Ms. Cooper said they recently switched demonstrations centers there and the Idaho State University Audiology and Speech Pathology Department provided those services. Unfortunately, the university was closed during the summer months.

Rep. Mitchell questioned if teachers and administrators knew which student's were hearing impaired after screening tests were completed? Ms. Cooper replied that hearing loss students were referred to special education with individualized intervention plans, but other students received only assistance through the American Disabilities Act. She felt that teachers needed to be reminded about what the hearing impaired needed.

Commenting further on early screening, Ms. Cooper stated that Idaho was one of a few states in which nearly half of the hospitals voluntarily conducted hearing screening of newborns. She emphasized early intervention services and appropriate speech and language services that integrated the child, parents, siblings and community in sign language, lip reading instruction or assistive equipment utilization.

When a child was identified with a hearing disparity, **Rep. Kemp** asked if the state tried to push the child through school or move the child into the Idaho State School for the Deaf and Blind? Ms. Cooper said that the schools do whatever the parents prefer. She noted that children must sign at the School for the Deaf and Blind.

Chairman Barraclough acknowledge that more effort was directed

toward sign language rather than cochlear implants. He asked if signing negated the effects of the implants? Ms. Cooper replied that by law children who were too deaf to participate in public schools or screened below a set decibel level must use sign language at the School for the Deaf and Blind. But this being expensive, many parents opted to use other modes to assist their child in public schools.

Rep. Boe asked if Idaho State University's speech/hearing graduates were meeting the demand for more services? Ms. Cooper replied that many of these graduates returned to their native states to work.

Ms. Cooper next discussed educational interpreters and thanked the State Department of Education for funding. She expressed the need to adopt standards of performance, training and mentoring for interpreters. She said that ISU had an educational interpreting program and offered summer classes for professionals to improve their skills.

Ms. Cooper then pointed out the stenographer-type machine being used during the meeting to caption her presentation in real time. She explained how the machine translated stenographic notes and displayed the translation on a screen. She illustrated with statistics that schools with audiologist services identified more students with educationally significant hearing loss and that 48% of all deaf and hard of hearing students were between the ages of 13 and 18.

Rep. Boe asked if the large number of teenagers was due to the listening to loud music? Ms. Cooper said that studies showed more and more college students suffered from hearing loss. Loud music contributed to this loss. Hearing loss from loud sounds developed slowly and few were aware of their loss.

Ms. Cooper added that 45% of public school districts provide speech therapy for the hard of hearing; 60% for the deaf, but only 38% offered audiology and hearing services to the hard of hearing; 40% to the deaf. She concluded recommending the following:

1. Provide appropriate services to infants and toddlers with hearing loss
2. Increase availability of oral/auditory programs and services
3. Support minimum qualification standards for educational interpreters
4. Support appropriate testing and additional audiology services for students

Rep. Rydalch inquired if the public schools could cooperate and voluntarily do more hearing screens? Ms. Cooper spoke about efforts with ISU and ISDB and the State Department of Education to provide consulting services to school districts, but there was no funding this year. She said some kindergartens conducted audiology screening, but they needed more audiologists in the schools. She further explained that the hospitals that volunteered were located within Region IV where the Council resided. She said that she would look into encouraging school administrators to do more screening.

Rep. Pence asked if the infant hearing tests were done by interns? Ms. Cooper said yes at first; now some hospitals did this as a part of the

newborn cost package.

ADJOURN:

After having Ms. Cooper sign "Happy Valentine's Day" to the committee and since there was no further business before the committee, Chairman Barraclough adjourned the meeting at 10:25 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 15, 2005

TIME: 8:30 AM

PLACE: Field Trip

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Nielsen, Cannon, Shirley, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Trail, Bradford, Block, Wills,

GUESTS: Sen. Goedde, Rep. Bastian, Randy Tilley (DFM)

FIELD TRIP: The Committee traveled to Anser Charter School for a tour of a expeditionary learning - outward bound method charter school.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 16, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the committee to order at 8:05 AM and asked the committee to review the minutes for February 7, 10, 11 and 15.

MOTION: **Rep. Nonini** moved to approve the minutes for February 7 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approve the minutes for February 10 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Henderson** moved to approve the minutes for February 11 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approve the minutes for February 15 as written. The motion carried by unanimous voice vote.

Chairman Barraclough commended Rep. Shirley for his sponsorship of H098 on the House Floor. He explained to the committee that protocol traditionally dictated that a positive vote in a committee deserved the same vote on the floor; a negative vote in committee may be changed on the floor. The committee discussed the dynamics of the floor debate on H098 and recommendation that should a member feel that it was necessary to change a vote, custom required that member notify the sponsor and chairman prior to the final vote. **Randy Tilley**, Division of Financial Management, acknowledged that he may have been remiss in not providing adequate information to the committee, and he pledged to work on this issue for a bill next session.

RS14702C1 **International Study Instruction, Standards & Committee**

Preceding his discussion of RS14702C1, **Rep. Trail** commented on rumors about 30% of University of Idaho freshman taking remedial courses. He distributed a white sheet that clearly refuted that claim (see attachment).

Rep. Trail then acknowledged incorporating the language previously suggested by the committee for this RS. He introduced Sen. Bert Marley

to speak about the RS.

Sen. Marley described his involvement with foreign student exchange programs and foreign travels. He felt that Americans need to understand other cultures better to match our economic efforts with their mores and customs, in other words to know and understand the other nation's point of view.

Rep. Nielsen asked how we could use international studies to improve our economic condition? Sen. Marley said this bill was not directed at reducing the trade deficit, but rather to understand foreign trading partners better. If the U.S. wanted to sell products to other nations, we needed to understand their culture and language. Rep. Nielsen continued asking if this program would help Americans be better understood? Sen. Marley replied that it was a two-way street to be able to compete globally.

Rep. Mathews commented that he was not comfortable with a homogeneous global society in which the lowest common denominator set the standard. He felt this bill would unbalance our emphasis of freedom and innovative thinking in this country. Sen. Marley responded that when Americans visit foreign countries, it makes the visiting American develop stronger convictions about American values and philosophy, especially after comparing and defending our way of life and governance to non-Americans.

Rep. Kemp said that her constituents expressed concern about international activities and globalization in schools. She believed in understanding the world at large, but this RS tacked this education in a piecemeal approach. She preferred looking at high school graduation requirements as a whole and use the rule-making process to adjust practices. She did not support this RS.

Rep. Cannon remarked that this RS did not galvanize Americans and did not address engineering and science, where Americans were being whopped. He felt the problem needed to be solved in the United States.

Rep. Rydalch acknowledged the language adjustments in the RS, but continued to have reservations about other language in the bill, such as "standards of international education," "international education advisory committee" and language that might invite law suits should these requirements not be met.

Rep. Boe did not see any threat in setting standards for schools as they were still required to meet No Child Left Behind (NCLB) standards. She felt this was a growth opportunity to learn about other cultures in the world. She explained the disastrous sales of Chevy Novas in Latin America because "nova" translated to "no go." She believed understanding another; culture broadened opportunities for students.

Rep. Mitchell spoke of how well foreign students in our colleges and universities understood our American system, but American students know little about other countries. He said foreign nations teach their children at an early age about other cultures; we need to do the same.

Dr. Dan Prinzing, State Department of Education, remarked about Secretary of State Collen Powell's talk that promoted international education as a component of national security. He said that this RS would establish an advisory committee to develop standards for international studies in public schools. He spoke of international sister schools and cities, but said these were mostly nice media moments since they lacked some guidelines to address cultural norms. He read a letter from the State and National Chair of the American Field Service (AFS) Intercultural Program that supported incorporating the study of international cultures and language into curriculums of reading, math, and science in American schools.

Rep. Shirley commented that this was an RS and needed more time for discussion. He was unclear about the mechanics of the proposals in the RS.

MOTION:

Rep. Shirley moved to introduce RS14702C1.

Rep. Nielsen questioned the language of the RS? Rep. Trail responded saying that this concept was supported by leaders at a civic education conference in Washington D.C., by President Bush, by speakers from both parties and by a number of states. He said they needed to incorporate the study of international education in curriculum materials and standards as well as in new sections of codes and laws.

Rep. Kemp reflected on an RS last week to promote international studies, and wondered how these two RS's related and if both were needed? Rep. Trail said that the RS's had separate purposes: RS14944 encourage the legislature to send a message to state leaders about the importance of international education; this RS addressed specific aims for the Department of Education under statute to direct formulation of standards through a committee.

**SUBSTITUTE
MOTION:**

Rep. Nonini moved to return RS14702C1 to the sponsor. He commented that this country had accepted people from all over the world, and he believed that this knowledge already existed. He also remarked that competitiveness in the world was due to wage differentials, not due to cultural ignorance.

Rep. Mitchell advised the committee about introducing an RS so that public comment would follow in committee, rather than debate the issue at that time.

Rep. Mitchell called the question on the substitute motion. The substitute motion carried by voice vote.

With limited time remaining, **Chairman Barraclough** altered the agenda by deferring RS14958C1 and RS14017. **Rep. Boe** interjected that the dog and cock fighting RS's had been introduced in the Judiciary, Rules and Administration Committee. By the time suggested changes were completed, the deadline for RS's had passed for non-privileged committees. She said these were pass through RS's.

RS14958C1

Define and Control Cock Fighting

RS15017

Define and Control Dog Fighting

MOTION:

Rep. Mitchell moved to send both RS's to print. However, **Chairman Barraclough** requested that each RS have separate motions.

Therefore, Rep. Mitchell moved to send RS15017 to print without any further comments.

Some discussion followed with **Rep. Nielsen** saying that he would not support the motion since he did not address the RS in Judiciary, Rules and Administration Committee. To that, **Chairman Barraclough** said it would have a chance for committee debate once printed.

The committee voted by voice vote, and Chairman Barraclough ruled that the ayes had it as a courtesy. The motion carried to introduce RS15017.

MOTION:

Rep. Mitchell moved to introduce the RS14958C1. No other remarks were voiced.

The committee voted by voice vote. Again, Chairman Barraclough ruled that the ayes had it. The motion carried to introduce RS14958C1.

RS14876

Clarify Purpose of Higher Education Tuition/Fees

Rep. Shirley acknowledged support for this RS from House leadership, the college and university presidents and the Office of the State Board of Education (OSBE). He introduced OSBE representatives Allison McClintick, Jeff Shinn and Gary Stivers.

Gary Stivers, Executive Director of the Office of the State Board of Education, stressed the importance of this RS to Idaho college and universities, excluding the University of Idaho due to its constitutional charter. He distributed a white paper (attached) and explained the problem that current law prohibited the college and universities from charging full-time resident students tuition to pay for maintenance and operations of the physical plant, student services and institutional support. Only matriculation fees could be used for non-instructional education costs. As such, institutions were forced to divert these fees to areas not classified as instructional to free up discretionary funds that would then cover the cost of instruction. This legislation would make funding more direct and understandable.

Mr. Stivers further explained that college and universities could not just charge more tuition for it would interfere with bonding and outstanding bonds. So, OSBE called this a "tuition fee" to minimize changes in Idaho Code. He then itemized the changes to be made in this legislation.

Chairman Barraclough commented on previous testimony before the House Education Committee by university presidents attesting to the need for this legislation. He acknowledged that students felt it may be onerous, but this was a means by which the legislature could support higher education.

MOTION:

Rep. Wills moved to introduce RS14876. **Rep. Mitchell** called for the question. The motion carried by unanimous voice vote.

**PRESENTATION:
RELATIONSHIP
OF OSBE & SDE**

Gary Stivers handed out a white paper entitled "Relationship" (attached). He stated that the role of the Office of the State Board of Education (OSBE) was to determine policy and procedures as well as to generally supervise public schools. The role of the State Department of Education (SDE) was to execute the laws of the State and the policies and procedures of the Board as well as advise OSBE on needs of public schools K-12. He explained that attorneys reviewed the constitution and laws to ascertain these roles.

Referring to the second page of the white paper, Mr. Stivers itemized the flow of federal funds to OSBE, SDE and school districts. He stated that OSBE is the repository by law for federal funds. Of the \$149,003,905 in federal funds for FY2005, the Board distributed the dollars in the following three areas:

1. \$54,980,177 directly to SDE for special grants, charter schools, character education, adult basic education and more.
2. \$7,644,536 directly to school districts for small rural school achievement and Titles VII & VIII support
3. \$86,379,192 to the OSBE of which \$79,542,192 went to SDE for various federal title implementations and \$6,837,000 remained with OSBE for student grants, Byrd Scholarship and some title tasks of oversight, accountability, policy development and tracking.

He stated that more than 92% of the OSBE federal money was passed through to the SDE, and of the remaining 8%, nearly 30% of that was passed through to students, school districts or colleges and universities.

Chairman Barraclough asked if in the past, federal dollars were sent to the Department instead of OSBE? Mr. Stivers agreed saying that by law today, OSBE received all federal dollars as the designated State Education Agency (SEA). Later, OSBE delegated by rule SDE to receive and implement the federal funding with the Superintendent reporting to OSBE as a board member. In an attempt to better track federal dollars, the Legislature in 2001 repealed the rule and by statute established OSBE as the recipient of federal funds.

Noting the low increase of teacher's salaries and the increase in FTE's at OSBE, **Rep. Trail** asked why OSBE's budget was increasing? Mr. Stivers explained that this was a misconception because in 2000 OSBE had 21 FTE with no federal money coming to the Office. Following the white paper chart, he said that of the nearly \$7M designated to OSBE, over \$6M was the cost of ISAT and pass-through dollars to school districts. OSBE had increased its staff by one FTE due to responsibilities to overview Professional-Technical Education (PTE) and federal mandates. Further, FY06 budget requested an increase of 21% to compensate for a hold back last year that was diverted to the public schools for technology.

Rep. Trail questioned the 4 FTE for PTE and 1 FTE for the Attorney General? Mr. Stivers said that the attorney general billed each agency based on their utilization of services provided by the Attorney General's Office. Since PTE is an executive office of the Board, the Board and PTE economized and shared personnel, such as accounting expertise.

Chairman Barraclough asked if the OSBE FTE count included the one FTE requested to support the Charter School Commission? Mr. Stivers said yes because OSBE assumed the administrative functions for the Charter Schools Commission. He explained that through reallocating responsibilities in OSBE, they needed only one more FTE and an additional \$3,500 to support this function. Later discoveries revealed greater expenditures for this function, so OSBE was using resources part-time to support the commission.

Rep. Mitchell asked if one FTE assumed additional responsibilities in addition to responsibilities for college and universities? Mr. Stivers agreed; further discussion revealed that the Chief Accounting Officer was responsible for college and universities plus oversight of the Elementary and Secondary Schools Accounting Officer. He further detailed OSBE staff responsibilities prior to approval of a charter school versus after approval.

Rep. Mitchell then inquired about who controlled staff expenditures, where the funds were distributed according to the white sheet categories, and who received those dollars? Mr. Stivers said he would secure that information and deliver it to the Representative.

Rep. Nielsen asked if there was a formula per federal title defining fund allocation? Mr. Stivers said SDE provided recommendation to the Board, but many dollars were passed through. Some dollars paid for operation at OSBE while other dollars were distribution for Title III, assessment, Title II for higher education and initiatives according to Board directives.

Continuing, **Rep. Nielsen** questioned if the figures were for last year's base plus a percentage or was the amount set in legislation? Admitting his limited expertise in SDE fund allocations, Mr. Stivers said the dollars were formula driven with a very small amount being discretionary dollars. **Dr. Jana Jones**, SDE, said that the federal dollars were all granted in formula grants with each having different formulas for distribution. The SDE was allowed to retain a portion of each grant for state activities.

Rep. Rydalch praised the Board for its role and compliance with the Constitution. She also hope to see the Department oversee local school boards in a similar manner.

Chairman Barraclough summarized the legislated minimum teacher salary that compressed the "steps and lanes" of teacher salary increases. He noted that the intent was to get a higher salary for beginning teachers and that wage remained stable for a few years. This in appearance looked like no salary increases for teachers.

Rep. Mitchell acknowledged that OSBE responsibilities were people doing jobs required by law, which formerly had been done by SDE. He asked if this created a duplication or appearance of a duplication of effort? Mr. Stivers replied that he did not consider it duplication because of the addition of ISAT which required tracking and database management, plus most funds were related to higher education. The appearance of duplication might also be attributed to staff bearing similar titles and performing related, yet separate tasks.

ADJOURN: There being no further business before the committee, Chairman Barracclough adjourned the meeting at 9:58 AM.

Representative Jack Barracclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 17, 2005

TIME: 6:15 AM

PLACE: Field Trip

MEMBERS: Chairman Barraclough, Representatives Nielsen, Wills, Chadderdon, Kemp, Mathews, Nonini, Shepherd (8), Pence

**ABSENT/
EXCUSED:** Vice Chairman Rydalch, Representative Trail, Bradford, Block, Cannon, Shirley, Henderson, Boe, Mitchell

GUESTS: None

FIELD TRIP: The Committee traveled to Meridian Charter High School to participate in a Businessmen's Breakfast, Technology Fair and tour of both Meridian Charter High School, a technology-based program, and Meridian Medical Arts Charter High School, a health science-based learning facility.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 18, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Shirley

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:05 AM. He discussed the protocol for discussion of an RS prior to introduction with the committee. He explained the allowance of extra time for one RS at the request of committee members. He then asked members who had attended the field trip to Meridian Charter High School and Meridian Medical Arts Charter High School on February 17 to give a brief account of the tour.

Several committee members summarized their impressions of the two schools. Their comments reflected the following:

- Students were very engaged in their education and preferred the small class sizes
- Select students who failed to “fit in” in traditional schools were excelling academically at these schools
- Exposure to professional-technical fields helped students to direct their careers and prepare for higher education by understanding career options better
- Visits to charter schools helped bridge the gap in understanding alternative educational routes

As a side note, **Rep. Kemp** wondered if exposing students to workforce skills at younger ages might someday evolve into a child labor question.

Rep. Bradford commented on his individual tour to the Idaho State Correctional Institution (ISCI) to observe 155 individuals receive their GED/high school diplomas. He talked about the value of education to these individuals from all age groups. He also praised the families and friends who attended, noting that many had no supporters in attendance. He asserted that the inmates recognized the need for education to help rebuild their lives.

MINUTES: **Chairman Barraclough** asked the committee to review the minutes for February 14, 2005.

MOTION: **Rep. Wills** moved to approve the minutes for February 14 as written. The

motion carried by unanimous voice vote.

H016

Professional-Technical Education Board, powers

Karen Echeverria, Office of the State Board of Education (OSBE), acknowledged the sign interpreter at her side, Mike Smith. She explained that the purpose of H016. It sought to ensure that all colleges, universities and executive agencies of the OSBE followed the same policies regarding the removal of an employee. This bill would bring the Division of Professional Technical Education, Idaho State University and the Idaho School for the Deaf and Blind into consistency with other OSBE entities.

Rep. Kemp pointed out that this bill had been deferred in committee to allow more time for research. **Rep. Pence** acknowledged the complexities surrounding this bill and the benefits of further discussion with interested parties and the OSBE. She asked Pennie Cooper to summarize the findings of the committee.

Pennie Cooper, Executive Director of the Council for the Deaf and Hard of Hearing, expressed gratitude for the opportunity to work with OSBE further on this issue. Speaking for the Council, she was concerned that OSBE lacked the expertise to oversee the employees at the School for the Deaf and Blind (SDB), and recommended the formation of an advisory committee appointed by the OSBE and the superintendent of the SDB. This committee would give recommendations to OSBE regarding decisions impacting the school.

Rep. Pence was pleased about the development of this advisory committee and saw it as a line of communication between parents, administrators and decision makers regarding the unique needs of the deaf and hard of hearing students in all Idaho schools.

MOTION:

Rep. Kemp moved to send H016 to the floor with a DO PASS recommendation.

Rep. Nielsen asked if the rules of OSBE needed to be amended for this advisory committee to serve the Board? Ms. Echeverria replied that such groups were appointed by the Board without authorization by any rule.

Rep. Mitchell asked for a copy of the Board's policies? Ms. Echeverria said that the policies had been provided to the committee.

Chairman Barraclough called for the question. By a unanimous voice vote, the committee approved the motion to send H016 to the floor with a Do Pass recommendation.

H017

Deaf & Blind School Employees, salary

Ms. Echeverria next defined the purpose of H017 to change the law authorizing the Idaho School for the Deaf and the Blind to adjust payroll methodology and procedures to provide a year-round benefits package and pay checks to classified employees at the school. In the past, the school used a mechanical hold back method to pay employees on a year-round basis, but this was not efficient. This bill would not alter the salary

and benefits being paid by the school.

Rep. Kemp inquired if this year having an extra pay period would create a problem? Ms. Echeverria said it would not as that pay period was already accounted for in the institution's budget.

MOTION: **Rep. Nielsen** moved to send H017 to the floor with a DO PASS recommendation. The motion carried by unanimous voice vote.

RS14911 Describing an incident with a day care provider in Coeur d'Alene, **Rep. Sayler** explained the earlier efforts to regulate day care facilities and the need to revise the law now. He listed the points of change:

1. Eliminate the group home certification option
2. Define services being provided for "two or more unrelated children"
3. Remove the cap on license fee
4. Require providers to pay the costs of fire and health inspections
5. Add a requirement for first aid and pediatric rescue breathing training

Rep. Rydalch asked if this was a pass-through legislation? Rep. Sayler said that it was.

MOTION: **Rep. Rydalch** moved to introduce RS14911.

Chairman Barraclough asked the sponsor for closing comments. Rep. Sayler added that the fiscal impact to the general fund was minimal since health district would fund any additional FTE's for inspections.

Rep. Kemp expressed concern regarding the language of "unrelated children" and what that meant. She asked the sponsor to look into this question.

Chairman Barraclough called the question. The motion carried by unanimous voice vote.

H018 **Dana Kelly**, Office of the State Board of Education (OSBE), explained that this bill set the potential number of teacher and nurse scholarships and allowed the redistribution of unused loan contracts. It also added Eastern Idaho Technical College as a participating institution and expanded the time limit for accepting contracts.

Rep. Mitchell asked if the institutions would notify the Board if a contract was unused? Ms. Kelly replied affirmatively explaining the each institution estimated the contract amounts and included that in their budget requests. If not used, they inform OSBE for redistribution.

Rep. Boe inquired why these changes were needed and why the grade point average was dropped? Ms. Kelly said the changes were made to make both nursing and teacher contracts consistent. One program lacked a GPA requirement, so they made them the same. Both programs were highly competitive and eligibility for the scholarships required the student to maintain a 3.0 GPA.

Rep. Kemp questioned the language of one section. It appeared to eliminate residency. Was this change enabling out-of-state students to receive these scholarships? Ms. Kelly said that it was limited to Idaho residents.

MOTION:

Rep. Nielsen moved to send H018 to the floor with a DO PASS recommendation.

Rep. Cannon asked if the loan forgiveness required the graduate to work in Idaho? Ms. Kelly said that it did.

Rep. Mitchell inquired if the definition of “an Idaho student” meant attending school in Idaho or being an Idaho resident? Ms. Kelly said the statute defined a resident as a person attending an Idaho school.

Chairman Barraclough called for the question. The motion carried by unanimous voice vote.

PRESENTATION:

Rep. Trail introduced Dr. Daryl Bertelson, Superintendent of the Whitepine School District and Director of the Idaho Distance Education Academy (I-DEA) Charter School.

Daryl Bertelson located I-DEA, a virtual charter school, in Deary, Idaho, and explained that it cooperated with contract teachers and home school teachers to provide a sound education regardless of the physical location of the student. Each student at home must have at least one parent contracted with the school district to participate in I-DEA. The virtual school would provide field representatives and a monitor to facilitate the activities, records, testing, enrollment, etc. of the students. These individuals also would work with a parent advisory committee.

Dr. Bertelson said I-DEA embraced technology using web-based student records, attendance, demographics, grade reports, testing, accounting and much more. He reported that they had 550 K-12 students with a 6% attrition rate. Last fall, they administered their first ISAT; next spring they would repeat the test and compare the scores. He believed that the low fall scores reflected the large number of students who had never taken tests of this nature before.

Through I-DEA, home schooled children were receiving parent/teacher support, which was backed by principal review and input. This fostered mediation and improvement of student performance and provided accountability in education. He added that I-DEA delivered (1) a traditional text book learning through a virtual environment to home schooled students and (2) an alternative nontraditional teaching method for students in traditional brick-and-mortar schools.

Chairman Barraclough asked how this school worked with other virtual schools? Dr. Bertelson said the two used different approaches; he had not yet compared the two.

Shauna Kron, Principal/Teacher with I-DEA, explained the use of multiple textbooks, as no single text matched the learning ability or styles of all their students. Instead, they employed power standards which set the

instructional objects and paralleled the Idaho assessment process. She also described how textbooks were not always taught from front to back cover. Instead they focused on meeting the standards first, then embellished with other information second. This method enabled the flexibility necessary to meet varied learning needs from disabled to advanced placement students.

Chairman Barraclough asked for a feeling about the student's progress since their ISAT tests last fall? Ms. Kron replied that they did not have any data yet, but they were actively working with contact teachers to improve low scores. Further, she commented that the home educators were becoming familiar with the power standards that drove their curriculums.

Rep. Block questioned the sources for home schooled educational materials? Dr. Bertelson replied that they used a list of Idaho approved curriculum materials. The list was posted on the web for parents to access along with a supplemental curriculum list, which I-DEA had approved. I-DEA paid for the materials, which were recycled for the next student.

Rep. Boe questioned if all the students were formerly home schooled? Dr. Bertelson said that about 80-85% of their fall enrollees were home schooled. Next, Rep. Boe asked where the students took the ISAT? Dr. Bertelson explained five sites where a rented mobile lab was set-up to test 35 students at a time. Continuing, Rep. Boe inquired if there was an appreciable difference in test scores of home schooled students compared to traditional school students? Dr. Bertelson said they did not have the data to answer that question.

Rep. Pence requested the turn-around time from the order for curriculum materials to delivery of the same? Dr. Bertelson said they usually received materials between 1-6 weeks, depending upon shipping times.

Rep. Kemp inquired about the funding for I-DEA? Dr. Bertelson said that I-DEA operated as an Idaho charter school under the Whitepine School District and received state funds as such. For the virtual part, they had to complete at least one year of operation to qualify for state funds. They had not received funds as a virtual school to date.

Rep. Chadderdon asked if the rural nature of their community fostered formation of this charter school? Dr. Bertelson said the rural timber economy and its drop in tax revenue made home schooling more popular. He found the charter system the only tool available to reach these students. Also, their small numbers dictated that they take this virtual charter school statewide to make it economically feasible.

Rep. Mitchell remarked on the need to have at least one adult in the home for participating students and asked what he knew about home schooling before they joined his charter school? Dr. Bertelson replied that their field representatives and teacher/monitor traveled to help identify each student's learning status and to define their school program. He added that this assessment evaluated the adequacy of the student's education prior to entering I-DEA.

Rep. Trail asked if they expected an increase in enrollment and if they accepted out-of-state students? Dr. Bertelson said they anticipated reaching their cap of 1250 students in about three years; they did not accept out-of-state students.

Rep. Kemp asked about the geographic diversity of I-DEA? Dr. Bertelson said that they had test locations all over Idaho.

Rep. Trail asked if any students returned to a traditional school from I-DEA? Dr. Bertelson said that he doubted they would, because home schooled students and parents elected that form of education. Plus, driving distances/times prohibited many from attending a brick-and-mortar school.

Rep. Cannon inquired if there was any concern about the social development of the virtual students? Dr. Bertelson emphatically replied, "No." He was not concerned as home schooled children had many social activities. **Chairman Barracclough** acknowledged that social misfits appear in any school situation, but the concept that home schooled students were loners and isolated was a myth. Ms. Kron commented about the cruelty in traditional school halls and locker rooms. In home schools, however, the students are kind, speak with adults comfortably, and go out of their way to assist one another.

Chairman Barracclough acknowledged Parra Byron, the Governor's Education Policy Advisor, who was attending the committee meeting.

Rep. Boe inquired if the Governor had any educational legislation? Ms. Byron referred to the Governor's support of the higher education tuition fee bill.

Chairman Barracclough thanked Katie Heffner for serving as the committee page during the first six-weeks of the session. Next, he introduced Jenna Ryan, who would serve with the committee until sine die.

ADJOURN:

There being no further business before the committee, Chairman Barracclough adjourned at 9:35 AM.

Representative Jack Barracclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

- DATE:** February 21, 2005
- TIME:** 8:00 AM
- PLACE:** Room 406
- MEMBERS:** Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Cannon, Nielsen, Shirley, Kemp, Mathews, Shepherd (8), Boe, Mitchell, Pence
- ABSENT/
EXCUSED:** Representatives Block, Wills, Chadderdon, Henderson, Nonini
- GUESTS:** Please see attached sign-in sheet; speakers are checked/highlighted.
- CONVENE:** **Chairman Barraclough** called the meeting to order at 8:10 AM. He introduced the new page Jenna Ryan, who would serve during the second half of the session for the House Education Committee,.
- PRESENTATION:** **Becky Young**, Chair of the Boise School District-Parent/Community Advisory Council (P/CAC), commended the committee for sending Senate Joint Memorial #108 to the President and Congress of United States urging congress to support amendments to the No Child Left Behind Act. She defined P/CAC as a parent and community advocacy organization comprised of parents and community members committed to providing an autonomous, non-partisan, open public forum to communicate concerns regarding public education. Members represent 52 school communities and view themselves as a unified voice for their children supporting community self-determination.
- Ms. Young cited over 300,000 hours of volunteer service in schools by nearly 10,000 parent volunteers. She stated that they raised an estimated 3/4 million dollars annually through fund raising activities to benefit their children. She also spoke of their program, Parent Assisted Learning (P.A.L.), that provided individual assistance in study hall and other activities for education. P/CAC sponsored several forums to learn about the No Child Left Behind Act (NCLB) and the Elementary/Secondary Education Act (ESEA).
- Ms. Young pointed out that their primary concern was all children, regardless if they attended a Title 1 or non-Title 1 school. She wanted all to receive equal benefits and opportunity in their education. She noted that NCLB was designed for Title 1 schools, but Idaho was only 1 of 2 states that elected to extend the NCLB standards to non-title 1 schools. However, in recent years, no funding has followed this mandate by rule from the State Board of Education and Department of Education.
- Therefore, P/CAC requested the following top priorities:
1. Support equal benefits to non-title 1 schools for remediation of identified students
 2. Hold or eliminate sanctions of non-Title 1 schools that create

additional costs until funding becomes available for remediation services.

Lisa Hilde, an elementary school parent, described a classroom situation in which the majority of the students were left “on their own” because the teacher had to focus on mandated tutoring for low performers. She noted that the federal “adequate yearly progress” (AYP) standards met the performance goals of just four sub-groups: specific ethnic origins, economically disadvantaged, students with disabilities and students of limited English proficiency. She also described how a school’s AYP rating could be downgraded by just a few students of one of these sub-groups.

Chairman Barraclough asked when P/CAC had been formed and was it active in all schools? Ms. Young said they formed about three years ago and met monthly in various schools. He also asked if they were welcomed into schools? Ms. Young said that they were. She also talked about “Let your Voice be Heard” cards distributed in schools for parental comments. Next, Chairman Barraclough commented on the rigidity of NCLB and that he would inquire of the State Board about Title 1 and 11 implementation.

Rep. Rydalch inquired about the distinction between P/CAC and PTO/PTA groups? Ms. Young said they had members who belonged to both, but said they focused on quickly addressing issues to ensure best education possible for their kids.

Chairman Barraclough commented about accountability through ISAT and IRI and hoped that Idaho could moderate NCLB to make it more workable. Ms. Young added that she was concerned about “AYP jail,” a term for school held captive by unfunded mandates.

Rep. Mitchell asked about the Department’s position on NCLB? Ms. Young did not know, but noted two states implemented NCLB for non-Title 1 schools. Rep. Mitchell then questioned OSBE involvement and public hearings regarding this issue. Ms. Young was not aware of OSBE meetings discussing this issue.

Rep. Boe asked if a school district had both Title 1 and non-Title 1 schools, could the district decide how to distribute federal dollars? Ms. Young said they could not, the federal money must go to the Title 1 schools. That was their concern because non-Title 1 schools did not receive any federal funds, but had to meet the same sanctions.

Rep. Shirley inquired if Utah had passed a law to supercede NCLB? Chairman Barraclough said Utah had initially rejected NCLB.

Rep. Nielsen asked if schools were sharing resources and if funds were going to the subgroups? Ms. Hilde replied that she was not sure, however, she observed classrooms in which subgroup children appeared to receive more teacher attention. Rep. Nielsen continued asking if this was caused by a lack of teachers or funding? Ms. Hilde replied anecdotally saying they needed more teachers to handle the remediation tasks in the classrooms.

Rep. Kemp spoke to the committee asking what this committee could do

to address these issues.

Chairman Barraclough replied saying the committee would first ask the State Department of Education (SDE) and State Board of Education (OSBE) to review this situation in Idaho. Second, he stated that ISAT, in his opinion, was bringing an awareness in the educational community about raising the bar and helping students to be better prepared for college and careers. Third, he stressed accountability in education, which got results without more money. This often called for change within the educational institutions, but it often was met with a natural reluctance. Fourth, he affirmed that a sound education depended upon good teachers. These teachers, however, needed their principals and superintendents to set the tone for a learning environment that fostered growth among faculty, staff and students. Fifth, he emphasized parental involvement in children's education and growth, and how it must accompany the educational efforts in Idaho schools. Finally, he noted the improvement in reading scores due to efforts of the Limited English Programs and other Idaho programs, which focused on language skills.

H0217

Chairman Barraclough commented that this bill had some flaws regarding mentoring. For example, when a teacher changed districts, the mentoring requirements started over. Yet, this was not a yes/no question on mentoring; it only removed the statutory requirement that spawned litigation when there was no funding for mentoring. He added that in the past, new teachers had reported little if any mentoring support despite the expenditure of funds for that purpose.

Dr. Cliff Green, Executive Director of the Idaho School Boards Association (ISBA), testified that ISBA supported mentoring, but this bill addressed five things:

1. Current law required mentoring
2. No funding provided for past 2 years and anticipate none this budget year
3. Teacher labor unions were suing school districts
4. Department of Education had developed guidelines for mentoring, which need reviewing
5. Funds were being expended on litigation when it was needed for educational efforts

Dr. Green then detailed each of the five points. He explained that Idaho statute set terms on teacher contract categories that required mentoring in four ways: peer; master teacher; administrative; and professional development. He talked about the initial funding of this law, but in recent years school districts had been forced to expend discretionary funds to finance mentoring. Part of the funding problem was due to litigation drawing dollars away from district obligations, such as mentoring.

The law suits cited insufficient mentoring as provided by statute and by reference in teacher contracts making the suits a labor dispute supported by the Idaho Education Association (IEA). On the other hand, SDE guidelines of the mentoring program prohibited mentors and mentorees from testifying in any litigation. Hence, school districts were hamstrung in defending these law suits. Since the Idaho Supreme Court could enforce laws or rules, but not enforce agency policies, which applies to the SDE

guidelines on mentoring, ISBA believed that the Department had exceeded its authority by not developing the mentoring guidelines through rule-making under the Idaho Administrative Procedures Act (IDAPA).

In closing, Dr. Green said the school districts were being sued. This forced the districts to spend money for court defense instead of in the schools. He affirmed that this bill was not an attempt to eliminate mentoring, which ISBA felt was an essential component of successful teaching, rather it addressed an unfunded mandate and issues related to the mentoring guidelines established by SDE. Since there was likely no funding for the future, ISBA suggested amending the law and giving districts the local control to provide mentoring within the local districts' budgets.

Chairman Barraclough commented that nearly \$60,000 was spent on this litigation. He thought it was a shame to siphon money away from the education of children and wrong to use a guideline that hurt the process.

Rep. Mathews inquired about the quantity of money spent on law suites? Dr. Green replied that they were dealing with four law suits; he did not have final dollar amounts on those cases.

Rep. Kemp asked for copies of the mentoring report and summary of the pending law suits? Dr. Green said that he would get that information to the committee.

MOTION:

Rep. Rydalch moved to hold H0217 until time certain on Thursday, February 24, 2005, so the committee could hear the report on teacher mentoring.

Chairman Barraclough elected to continue hearing testimony from people who had traveled from out-of-town and who came on their holiday to testify.

Rep. Trail asked for examples of legal battles over mentoring in other states? Dr. Green said that he was not familiar with other state codes and could not reply. He would provide a summary of the law suites to the committee.

Rep. Shirley noted a paradox in which they mandated mentoring, yet eliminating it in this bill would be nonproductive. He asked why? Dr. Green replied that ABCTE mentoring would still be provided as part of the alternative certification process. That was a local board decision and part of the hiring process. The choice here was to change the statute and decrease litigation in school districts over mentoring as a labor contract issue. The language in Idaho Code would be changed and mentoring would become a local district decision to provide mentoring within their budget and school programs.

Chairman Barraclough called for the question to hold H0217 for time certain on Thursday, February 24, 2005. The motion carried by unanimous voice vote. The Chairman then proceeded with public testimony.

Sally Mitchell, a teacher at Eagle Middle School, testified about her early years as a teacher. She asserted that the mentoring program at Meridian School District kept her on track and in the profession. Her mentor, Donna Mikkelson, provided bi-weekly meetings, handouts, in class observation time and advice on classroom management.

Nikole Misseldine, Eagle Middle School, talked about three great teachers in her career. One, her first grade teacher who ignited a strong desire to teach. Two, her mentor during her first year of teaching who helped her overcome her anxiety about teaching by providing ideas, solutions and approaches to maximize her teaching skills. Three, her legislators in the education committee who teach the public about the obligations of teaching and provide ongoing support in the classrooms through mentoring. She affirmed that beginning teacher mentoring programs were vital and necessary.

Nick Hallett, Superintendent of the Minidoka School District, stated that ideally the solution would be full funding. Or he suggested drafting a mentoring program that did not compromise teacher quality nor encourage litigation. More realistically, he supported H0217 to take litigation out of the formula. The question was not mentoring or no mentoring, but to eliminate the costly loopholes used by bureaucrats and attorneys in litigation. His district had conducted surveys on mentoring and would continue mentoring for teachers regardless of the outcome of H0217. He said his district would like to fund mentoring, but their limited funding made that difficult when they had to address limited English Proficiency as well. In addition, h talked about the dilemma that the SDE guidelines for mentoring created for districts when sued. He also explained that low intensity mentoring was the responsibility of school principals, which therefore forbid them from testifying as well. He asserted that the local school districts should set their own mentoring standards.

Rep. Mitchell was distressed by the legal position in which the facts could not be reviewed in court. He hoped the chairman would tell JFAC about the committee's distress over the lack of funding for mentoring.

Rep. Kemp asked that the committee to receive copies of the SDE mentoring guidelines. Chairman Barraclough agreed.

Donna Mikkelson, Lake Hazel Middle School teacher, recalled her first year of teaching and how she felt overwhelmed, anxious and very alone. She claimed that for students to learn well, they needed teachers who were empowered to teach well. She said that today beginning teachers were assigned unreasonable expectations, which required considerable support from more experienced teachers. She concluded saying that mentoring with accountability was invaluable and needed to be kept alive.

ADJOURN:

There being no more time for testimony, Chairman Barraclough adjourned the meeting at 9:50 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 23, 2005

TIME: 8:00 AM

PLACE: Field Trip

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Nonini, Boe, Pence

**ABSENT/
EXCUSED:** Representatives Trail, Mathews, Shepherd (8), Mitchell

FIELD TRIP: The Committee traveled to William Howard Taft Elementary School to see firsthand the methods used to increase parental participation and raise students' test scores in a low income area. They also toured North Junior High School to view a traditional school approach in education.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE:	February 24, 2005
TIME:	8:00 AM
PLACE:	Room 406
MEMBERS:	Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence
ABSENT/ EXCUSED:	None
GUESTS:	Please see attached sign-in sheet; speakers are check/highlighted.
CONVENE:	<p>Chairman Barraclough called the meeting to order at 8:03 AM and asked the members who attended the field trip to describe their experiences. Their comments were as follows.</p> <p>At Taft Elementary School:</p> <ul style="list-style-type: none">• Parental participation over 95%• Collaboration with local bank for students to have bank savings accounts at school• Learning environment warm/inviting and encouraged students to mingle• Integration of fine arts in music offered daily, soft music in public address system and art work in hallways• Despite 30% student turnover rate at Taft Elementary and retiring teachers, the principal reported an abundant supply of teacher applicants• About 50% of Taft enrollment was from outside its district• Showed how leadership and teamwork among administration, teachers and parents could help children improve and grow academically <p>North Junior High School:</p> <ul style="list-style-type: none">• Remarkable accommodation of old facility for modern needs• Standard classroom model employed
PRESENTATIONS:	<p>Allison McClintick, Office of the State Board of Education (OSBE), presented the findings of a committee's research into mentoring, as requested by Chairman Barraclough last year. This committee was requested to review four issues: current legislation; literature addressing teacher mentoring; research best practices, both state and national; and identify examples of those practices. The committee followed 10 guiding principles (see attached slides) and found the following:</p> <ol style="list-style-type: none">1. Mentoring had a positive impact on teacher retention (15% attrition with mentoring compared to 26% without)2. The University of California train-the-trainer project at Santa Cruz produced mentored teachers of whom 94% were still in education and 89% were still teaching.
Teacher Mentoring Report from OSBE	

3. In Idaho, Idaho Code 33-514 set support programs for annual teacher contracts that were initially funded at \$2M in 2000, but the allocation was pulled in 2002.
4. The Idaho mentoring program defined four components of the support program: mentoring; peer assistance; professional development; and administrative assistance.

The study found that when districts were required to provide mentoring without funding, litigation ensued to force compliance. It showed that 15 school districts and 7 charter school did not have mentoring plans filed with the SDE. It discovered that experienced teachers moving from one district to another were required to take mentoring again. Finally, the study found that many new hires lacked skills in actual teaching practice and specific strategies for classroom management, that new teachers were often given the most time-consuming and least rewarding assignments, and that new teachers were assigned larger classes, more difficult students, and more duties.

Ms. McClintick briefly talked about Idaho and national mentoring programs noting the Santa Cruz Project offered sound practices. She presented options formulated by the committee: possible change in statute separating mentoring from the annual teacher contacts; require mentoring services for teachers in their first three years in the profession, not at a district; or consider revising the definition of mentoring in the state guidelines. The Committee also suggested a pilot mentoring program similar to the Santa Cruz Project in Idaho using federal funds; modifying the current program; or a hybrid of both.

Chairman Barraclough commented on the history of mentoring in Idaho law and practice. He noted the benefits of mentoring and the budget cut in funding. He also pointed out that mentoring with accountability was needed and welcomed cooperative efforts to identify and resolve mentoring problems.

Rep. Trail inquired if the Attorney General's office had issued an opinion regarding the prohibition on testimony by mentors and mentorees? Ms. McClintick said they had not issued an opinion.

Rep. Rydalch asked if teachers could incorporate mentoring as part of their normal job performance tasks without additional pay? Ms. McClintick explained how that would be difficult, because one component of mentoring required master teachers to be taken out of their assigned classrooms and attend class with the mentoree.

Rep. Bradford questioned the assignment of new teachers to the toughest classroom? Ms. McClintick answered that some schools did pay attention to classroom assignments, and some offered additional pay for hard-to-handle classes or schools located in less desirable locations.

Rep. Block talked about her school districts needing clarification about the mentoring program currently in place. She stated that they needed more flexibility.

Rep. Mathews asked if the principals and school administrators needed

**Idaho PTA –
Legislative
Committee
Report**

clarification about the mentoring statute? Ms. McClintick replied that the committee looked at that issue. They noted the need for mentoring in a trusting relationship without the fear of evaluation. Principals and administrators were evaluators, and in small districts, the two roles crossed.

Rep. Pence noted that the Santa Cruz method sounded a lot like that used in the Boise and Meridian school districts. She asked if data could be used from those districts to avoid conducting a pilot project? If not, she was concerned about passing H0217 and leaving teachers without mentoring. Chairman Barraclough stated that H0217 did not prohibit mentoring; it just removed it from statute. Ms. McClintick was not sure if the Boise, Kuna and Meridian districts had adequate data for their purpose since each district could submit different mentoring plans.

Rep. Cannon wondered if the teacher education curriculums could include a 4th year internship in actual classrooms? Ms. McClintick said she would ask the Governor's representative to discuss that idea. She noted that Idaho higher education was revamping teacher mentoring efforts.

Rep. Pence added that there was a profound difference between student teaching and being a first year teacher. The student teacher stepped into an established classroom; the first year teacher had to establish the classroom protocol and order.

Rep. Boe asked for a definition of mentoring and peer assistance? Ms. McClintick responded that mentoring introduced teaching methods and was observational. Peer assistance was more direct assistance on specific classroom problems and used a prescriptive approach.

Shirley Paul presented the Idaho PTA legislative priorities for 2004-05. She commented that Idaho had many school in which parents were actively involved. She stated that child performance in school increased with parental involvement.

Sherry Feist elaborated on three Idaho PTA priorities: charter schools; funding; and parent involvement. She said that charter schools should be open to all students, abide by all federal and state laws, be accountable, and ensure qualified professional faculty and staff. She added that charter schools should not divert money from public schools nor charge tuition or fees not charged by public schools. She proclaimed that educational funding should be tilted in favor of public schools and Idaho PTA opposed tax credits and vouchers. She also stated that Idaho PTA supported S1066.

Rep. Trail asked if PTA membership had grown? Ms. Feist agreed noting especially strong growth in Meridian, Kuna and Nampa.

Rep. Shirley inquired about other organizations under the PTA umbrella? Ms. Feist said they partnered with Parents as Teachers.

Chairman Barraclough asked what was the relationship between PTA and PTO groups? Ms. Feist said the PTO's had parents interested in a

specific school, where as PTA operated under bylaws that worked with all schools, participated in national programs and provided training for parents to become better mentors.

Rep. Nielsen asked if PTA supported parental choices for private schools? Ms. Feist replied that they supported choices within the public education system.

Rep. Chadderdon asked if PTA charged dues? Ms. Feist said that they did; about \$4.50 per student which helped them defray expenses for staff and materials.

Parents as Teachers Project

Dr. Harriet Shaklee, University of Idaho Extension Agent, described the parent education program for parents of children age 0-5 years old. The program included four components: enrolled parents received in-home guidance from an educator; parents exchanged ideas and experiences in group meetings; children received pre-school screening; and children were given referrals for assistance. Parents as Teachers (PAT) focused on literacy and encouraged adults to talk or read to their pre-school children. After 5-6 years of service, Idaho's program demonstrated 86% reading readiness by participating 5 year olds compared to national readiness at 35% for this age group. Dr. Shaklee also reported that the program helped parents learn what schools would expect of their children, and participating parents continued their involvement with their children's education through the school years.

Stephanie Baldwin, a PAT parent, described her experience in Parents as Teachers. She explained that the program was economical for it used materials common in the home and taught ways to communicate with their child. She also noted that her parent educator was able to continue working with her even when her family moved to a region in Idaho that did not have a PAT program.

Rep. Trail asked how the program was advertised? Mrs. Baldwin said it was a word-of-mouth referral.

Rep. Rydalch questioned if PAT worked with local hospitals? Dr. Shaklee said they worked with hospitals, health care professionals, Head Start, libraries and more.

RS14984C1

Resolution Regarding Suicide Education for Teachers

Rep. Garrett proposed a simple legislation that could positively impact many Idaho youth by asking the education departments at Idaho college and universities to include recognition of the signs of suicide in their teacher education programs. She stated that teen suicide was the second leading cause of death of 10-18 year olds in Idaho and that Idaho was the 7th highest state in the nation for teen suicides. She reported that 4 out of 5 teenagers showed signs of suicide. For this reason, this bill proposed to educate Idaho teachers about the risk factors and warning signs of suicide.

Rep. Boe asked if Rep. Garret was familiar with the Jason Foundation? Rep. Garret responded that her husband had been instrumental in

bringing the Jason Foundation to Idaho a few years ago. The Foundation provided awareness presentations in classrooms and schools, but this bill would impact all Idaho classrooms through the teachers.

Rep. Rydalch inquired if there was a difference in suicide rates between girls and boys? Rep. Garrett replied that there was; teenage boys had the highest suicide rate in Idaho.

Rep. Trail questioned if higher education health professionals could use this information? Rep. Garrett agreed.

Rep. Mitchell asked if they could request a report from the State Board of Education regarding the effects of this resolution? Rep. Garrett said that was a good suggestion, and she believed that the Office of the State Board of Education, who were working with her on implementation, could report to them.

MOTION:

Rep. Boe moved to introduce RS14984C1 and refer it directly to the second reading calendar.

Rep. Cannon expressed reluctance to not hear more testimony about this resolution.

Rep. Nielsen concurred saying he wished to allow others to testify about this resolution. Rep. Garrett agreed that there were folks who may wish to express their support of the bill.

**SUBSTITUTE
MOTION:**

Rep. Kemp moved to introduce RS14984C1 and return the bill to the House Education Committee for public hearing. The motion was approved by unanimous voice vote.

H0217

Teachers, Support Program Deleted

Dr. Cliff Green, Idaho School Boards Association (ISBA), reiterated that ISBA supported mentoring, but this bill simply removed it from statute to eliminate law suits related to teacher contracts. He presented the committee with summaries of the four pending law suits: Madison School District; Basin School District; Middleton School District and Swan Valley School District.

Chairman Barraclough asked if these summaries were confidential. Mr. Green replied it was public information.

Dr. Green continued explaining that the federal dollars available to fund a pilot project, similar to the Santa Cruz Project, would provide data under controlled circumstances about mentoring. He suggested that an OSBE task force could oversee and track the projects, then report to the legislature.

Chairman Barraclough inquired if the pilot project could yield strong data supporting mentoring? Dr. Green said the pilot project would not cost the state dollars and may define potential mentoring methods suited to Idaho.

Rep. Kemp asked the following questions. 1) If a pilot were done, what

would other school be doing for mentoring? 2) Regarding the court cases, what were the costs per district? 3) What were the guidelines that prohibited testifying in court? Dr. Green replied that other districts had plans or programs in place, which they continue by using funds from discretionary dollars. The court costs were undefined at that point since some were still in litigation. As for the guidelines, they resided with the OSBE.

Rep. Wills questioned if a district lacked adequate funds and could not provide mentoring during the pilot project phase, would they still be liable? Dr. Green said the liability would remain if this bill did not pass. With passage, the districts only faced a funding issue for mentoring and could implement as much mentoring as possible with available dollars. Chairman Barraclough clarified that the pilots would be funded using federal dollars.

Rep. Rydalch stated that she preferred to eliminate things in statute that encouraged litigation. She asked if they needed to limit litigation? Chairman Barraclough said that would be separate legislation. Rep. Rydalch continued asking what was a summary judgement? Dr. Green turned to **Steven Meade**, ISBA attorney. Mr. Meade stated that in court a summary motion basically help to narrow down the issues rendering undisputed facts which entitled one party to a court judgement. This method helped to pare down issues before the court.

Rep. Mitchell asked how many pending or past law suits were there dealing with mentoring? Dr. Green said only four of which Swan Valley and Madison were settled. He noted that there were 115 school districts in Idaho.

Rep. Pence asked how many individual teachers had been mentored in Idaho? Dr. Green said about 3,200 teachers. Rep. Pence commented that only four individual cases out of 3,200 was pretty low. Chairman Barraclough commented that individual cases were quite costly. Dr. Green added that each case took funds away from other educational areas.

Rep. Rydalch asked if ISBA would make a commitment to assure ongoing mentoring? Dr. Green said the sponsors of the bill would continue mentoring at the discretion of their local school boards until data from the pilot was reported. Rep. Rydalch asked if the report would be available before the legislature needed to act on another bill? Dr. Green said that it would be.

Rep. Cannon assumed that litigation was funded through insurance claims. He asked if insurance carries were becoming unwilling to insure mentoring? Dr. Green replied that since 1988, about \$3M had been paid in legal fees to defend school boards in teacher grievances. This amount did not include the costs of the grievance process itself. Chairman Barraclough commented that the cost of dismissing an employee was prohibitive and bad teachers could remained on the job.

Rep. Trail asked for a summary of the dollars spent on the law suits? Dr. Green said that he would get that information.

Rep. Wills asked how mentoring was an issue in the law suits? Dr. Green said the state was not funding mentoring, so the districts reduced the mentoring being performed. Since there was less or no mentoring, the districts were sued.

Rep. Shepherd commented that four law suits did not sound like much, but how much money was being wasted to remedy mentoring when the issue could be a poor teacher? Dr. Green agreed, but mentoring was the costly issue.

MOTION:

Rep. Rydalch moved to HOLD H0217 for about a week and allow time for a potential companion bill to reach the committee. The motion carried by unanimous voice vote.

Chairman Barraclough asked if any of those who signed up to testify could return; most agreed, but one gentleman could not. Chairman Barraclough asked him to proceed with his testimony.

Brian Duncan, District 331 Minidoka School Board Chairman and ISBA Region 4 Chairman, supported H0217. He stated that school boards were not opposed to mentoring; the boards opposed an unfunded mandate in the law. When ISBA members were asked about striking mentoring from the statutes, 67% agreed. He did not believe that a statute was necessary for board to provide mentoring. He was concerned about school boards managing districts with higher mandates, yet lower funding. He too was concerned about diverting funds for litigation when it was needed elsewhere in schools. He favored using dollars for education, not litigation. Additionally, he supported the pilot project idea with a report to the legislature next year.

ADJOURN:

Chairman Barraclough thanked all for their patience and willingness to return to testify. Since time was short before members needed to report to the House chambers, Chairman Barraclough adjourned the meeting at 10:35 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 25, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:03 AM. He directed the committee to review the minutes for February 18 and 23.

MOTION: **Rep. Wills** moved to approve the minutes for February 18 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Nielsen** moved to approve the minutes for February 23 as written. The motion carried by unanimous voice vote.

**DISCUSSION:
H016** **Rep. Kemp** questioned the committee to see if anyone had concerns regarding the change to "at discretion of OSBE by policy" in H016? No one replied.

Karen Echeverria, Office of the State Board of Education (OSBE), again noted that H016 sought to bring consistency among the state educational institutions. She had researched and found that executive directors normally were "at will" employees.

Gary Stivers, OSBE, added that their deputy attorney general had investigated. He found no trail to explain why the statutes were written as they were with some educational executives being at will and others not. He found Professional-Technical Education people served under yearly contracts with a "for cause" clause. This created some difficulties when dismissing executive employees. Again, he affirmed that this bill would establish consistency among all educational institutions.

Rep. Boe questioned if the bill applied to only presidents or faculty too? Mr. Stivers said it was aimed at presidents; faculty serviced under annual contracts and were not included.

Rep. Mitchell inquired if this dealt with the right of OSBE to release an employee? Mr. Stivers agreed. Continuing, Rep. Mitchell asked if it allowed OSBE the authority to release anyone at any institution? Mr. Stivers said that it normally did not.

Rep. Pence added that this change was acceptable to the review

committee.

S1019

Charter Schools, Nonprofit Corporation

Jan Sylvester explained that S1019 added public charter school commission as a nonprofit corporation to Section 33-5204. This correction in Idaho Code had been overlooked last year in the updated of the Public Charter School law.

Rep. Rydalch asked about a trailer bill? Allison McClintick said there was another bill that addressed the charter school commission and it had language that mirrored this bill.

MOTION:

Rep. Rydalch moved to hold S1019 in committee until the committee could review the upcoming companion bill. The motion carried by unanimous voice vote.

H0231

Rep. Shirley explained that H0231 would allow tuition fees for all educational costs including the cost of instruction for Lewis-Clark State College, Idaho State University and Boise State University (BSU). He noted that the University of Idaho (UI) was not included due to constitutional governance, yet President White, UI, supported this bill (see attached letter). This bill would allow flexibility for these institutions to use some fees for instructional costs, such as adding new class sections to meet attendance demands or paying for more instructors when needed.

Rep. Shirley quoted a letter from Dr. Kustra, BSU. It requested the committee to support this bill since the change was sorely needed at BSU to enable them to respond to students' needs for more course sections necessary for graduation. The bill in and of itself did not affect fees, but enabled flexibility to provide instruction and helped students understand where fees were used. All fee increases required OSBE approval.

Gary Stivers, OSBE, said the bill essentially authorized the OSBE to set fees for instruction at these institutions. It was a method to respond positively to the increasing number of students requiring more classes and instructors. Institutions currently had to shift discretionary funds around to cover additional instructional costs. This would simplify the accounting. He then walked the committee through each section of the bill. He concluded saying that OSBE and the higher education institutions' presidents requested the legislator's support for H0231.

Rep. Trail asked for a clarification of the historical tuition/fee controversy in the Missouri court case? Mr. Stivers explained that their law, like Idaho's, prohibited charging tuition, but they were not as fastidious as Idaho institutions about keeping the accounts clear and separate.

Rep. Mitchell asked if all Idaho institutions had reached the maximum on their fees? Mr. Stivers replied that among the three universities, they were at about 75% or more of usage. The need was for new classes and programs of instruction. Without more courses and instructors, students often face longer stays in school which raised the cost of their education.

Rep. Mitchell then asked for an update on the law suit by students on

campus? Mr. Stivers said a deputy attorney general was working on that.

Sid Anderson, Associated Student Body of BSU (ASBSU) lobbyist, remarked that at first students at BSU opposed this legislation. However, on further investigation, they conceded to the advantages of changing the system which would eliminate the bottleneck in classes as a student progressed toward graduation. They also hoped that it would help retain good instructors and help fund technological instruction. He stated that ASBSU was neutral on this legislation and hoped for fewer budget cuts to higher education.

Katie Whittier, University of Idaho Student Body representative, opposed the bill. UI students felt it was a matter a fairness in which UI was not included. Ms. Whittier claimed that students at all three institutions were drawn to Idaho institutions because the costs were economical, but they wished to see adequate compensation paid to instructors so they did not loose them across the border to Washington State. She inferred that Idaho was not known for a "high degree of quality" in higher education, that many students relied upon financial aid to attend college and that funds had been used illegally.

Rep. Kemp commented on Ms. Whittier's bold statements and allegations. She asked for substantiations? Ms. Whittier referred to the shifting of funds to instructional costs and litigation. Rep. Kemp asked if this was the litigation that Mr. Stivers mentioned? Ms. Whittier said that it was. Rep. Kemp then inquired how she could conclude from a pending case that something was illegal? Ms. Wittier did not know.

Rep. Rydalch expressed dismay at Ms. Whittier's testimony because it stated that BSU opposed this bill, when in fact given testimony was just the opposite. She strongly objected to the insinuation that UI did not offer a quality education. Further, she hoped Ms. Whittier would do something about this. Ms. Whittier replied apologetically that her youth got in the way.

Rep. Cannon asked if she believed that students needed to share in the cost of their education? Ms. Whittier agreed, but said the students were really stretched financially.

Rep. Nonini asked if she had any suggestions? Ms. Whittier did not; she only wanted the committee to be aware of the rising costs to students.

Rep. Mathews asked if this bill would impact UI students? Ms. Whittier said that it would not unless there was a constitutional amendment.

Rep. Mitchell added that in the past, Idaho college and universities received 14-15% of the state revenue; now they received about 10%. This forced the legislature to change the law and ask students to contribute more.

Rep. Wills admired her courage to testify, but affirmed the committee's commitment to deal with facts, not assumptions or hear say. He noted that this bill attempted to balance the scale for institutions dealing with funding complexities with the students' needs for the best education

possible with moneys available.

Kevin Satterlee, BSU attorney, described how fees were set at BSU in an open forum in which every student could request information about student fees. He also talked about a campus committee that investigated fees at BSU finding that students asked for a 14% fee increases, but by the time the review reached OSBE, it was more like an 8% increase. BSU was dedicated to keeping student fees as low as possible while ensuring a robust, quality education. He noted that fees and state money each went into restricted accounts. He said the university would like some flexibility to use fees as needed to address student educational needs.

Ryan McBride, Idaho State University (ISU) Associated Student Body Representative, noted that he would convey both ISU and Lewis-Clark State College students feelings against this bill. They opposed the bill for it would create two different systems of funding education in Idaho, and it would allow student fees to be increased without restriction under state law. He too objected to a "shell game" with fund shifting. He noted that there were plenty of costs that could be paid legally for upper division classes and for desperately needed equipment.

Chairman Barraclough asserted that Idaho budget demands forced more dollars into Corrections as well as Health and Welfare. He recommended as much as feasibly possible to go to higher education.

Rep. Kemp questioned the types of fees asking for a break-out of resident fees and verification of UI fees? Mr. Stivers stated that UI had the highest fee increase request.

Luci Willits, OSBE, stated that ISU had the highest actual fees in state but UI made the largest fee increase request to the OSBE despite the constitutional "protection."

Rep. Cannon commented that the cost was the last consideration that he and his son considered when choosing a college. He said that he wanted students to have earning power when they graduate, and if the state pinched pennies on fees, it would cut the quality of degrees. Mr. McBride replied that his major consideration was the fees, and that was why he stayed in state. He explained that his only financial assistance was a fee scholarship and that most students had to work to pay for their education. This too extended their time in college and added more expenses.

Marty Peterson, Assistant to the UI President, recalled Dr. White's letter of support for this bill. He explained that UI could not participate in this legislation because of constitutional prohibitions. Further, UI declined to pursue a constitutional amendment due to the costs involved. He agreed with Ms. Whittier's statement of losing faculty to Washington. He explained that Washington State University had this type of flexibility in their fee structure. He asserted that this bill would enable the most efficient, cost effective manner to use student fees for the students' education. He supported H0231.

Karl Shurtliff, attorney, asserted that this bill did not increase tuition or fees at any institution, but it opened the door to allow such increases. He

upheld the position that all state institutions should have equal treatment under the law. He stressed the need for a cost effective education at a rate that Idaho students could afford by working in rural Idaho. He also remarked about additional fees now for student health coverage. He commented about being involved in the Pocatello law suit and chuckled at UI's support of a bill that would place them in a favorable position for lower fees to attract students. He believed that higher education was the only discretionary spending left to state government. He also commented on rising educational costs due to "two rows of administrators attending" this meeting. This could be a hard decision that could reduce costs to students. He commented on how many students had to lay out of school to earn funds to pay for their education, which contributed to extended time to earn a degree.

Rep. Rydalch asked if Mr. Shurtliff was involved in the law suit? Mr. Shurtliff affirmed that he was as the representative for students. He added that the students paid the filing fee, and he was not charging a fee for his services.

Rep. Chadderdon referenced the land grant status of UI and its funding formula. She asked if this needed changing? Mr. Shurtliff agreed that the state had gone to the well for higher education in the past, and he asked them to do so now. Mr. Peterson added that UI was a land grant institution, but all endowment funds were pooled ,and OSBE divided the dollars by formula to all four institutions of higher learning in Idaho.

In closing debate, **Rep. Shirley** affirmed that this bill would use tuition fees for instructional purposes; it did not raise fees; and it would enhance what institutions could do for the students by offering more classes and higher qualified instructors. He referred to what other state institutions were doing and affirmed the need for Idaho to become more competitive in higher education.

MOTION:

Rep. Wills moved to send H0231 to the floor with a DO PASS recommendation.

Rep. Boe asked to explain her vote. She appreciated the need for flexibility by the universities and the dedication of OSBE to keep fees reasonable, but this bill would symbolize a shift in the law that forefathers set to guard access to higher education in Idaho. She would be voting no.

Rep. Nielsen added that this was a better way to handle available dollars, and he was confident that the authorities would have the best interests of students at heart. He proclaimed this as a tool to enable the state to weather the tough economic times and still invest in education.

Rep. Rydalch called for a roll call vote. The committee approved sending H0231 to the floor with a DO PASS recommendation by 14 "ayes," 3 "nays," and 1 absent/excused.

The votes were as follows:

Ayes = Chairman Barraclough, Vice Chairman Rydalch, Representatives Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon,

Henderson, Kemp, Mathews, Nonini, Shepherd (8)

Nays = Representatives Boe, Mitchell, Pence

Excused/Absent = Representative Trail

ADJOURN: There being no further business before the committee, Chairman Barracrough adjourned at 10:00 AM.

Representative Jack Barracrough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: February 28, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:05 AM. He referred the committee to the minutes for February 21.

MOTION: **Rep. Shirley** moved to approve the minutes for February 21 as written. The motion carried by unanimous voice vote.

RS14391C1 **Promise Scholarship / Eligibility for Drug, Alcohol, Tobacco Free**

Rep. Block briefed the committee on the history and intent of the Robert Lee Promise Scholarship. She stated that drug, alcohol and tobacco habits correlated with correctional problems and welfare dependency. She also pointed out that if they did not acquire the habit by age 21, they never did so. Rep. Block described how this RS added a drug, alcohol and tobacco free requirement to the Promise scholarship with voluntarily drug testing each year to earn dollars from the Promise Scholarship. She noted that from 2006 to 2013, the federal tobacco settlement dollars would fund this category of scholarships.

Chairman Barraclough provided the committee with a biographical summary of former Senator Lee's career and dedication to education in Idaho.

Rep. Trail asked for a hypothetical case and how a student would qualify for this scholarship? Rep. Block said the student would make an agreement with the school administrator to enter into the program. Then, the student would volunteer for drug testing at school in conjunction with the athletic drug testing. If the tests proved drug/alcohol/tobacco free, the student would earn \$600 per semester for up to 2 years. If they failed, they would have to reapply the next year.

MOTION: **Rep. Mitchell** moved to introduce RS14391C1. The motion carried by unanimous voice vote.

Chairman Barraclough inquired if Rep. Block had checked the fiscal impact of this bill with JFAC? Rep. Block said that she would do so before the hearing on the bill.

Rep. Denney introduced this simple bill, which would authorize school district Board of Trustees to apply for an exemption to any portion of the tuition rate as calculated for out-of-state students to attend an Idaho school. This would benefit those local district that may allow lower tuition rates for enrollment of out-of-state low income children. It would not impact the general fund nor alter the student attendance counts for the statewide educational funding formula.

Rep. Boe asked for an example for this situation? **Darbie Dennison**, Administrator for the Annex School District, explained that Annex is an unincorporated community in Oregon just across the river from Weiser, Idaho. It has a small population with a high poverty rate. Most of the community worked, shopped and recreated in Weiser. Annex did not have the resources to fund a high school and the nearest Oregon high schools were a dangerous commute away in the winter. Presently, Weiser charged Annex students more than what Oregon school funding would pay, so the Annex District had been using funds from their elementary school to help support their high school students. Oregon law prohibited the area tried for passing a local option tax to have their own high school. Annex and Weiser School Districts had been cooperating to enable Annex students to attend Weiser High School.

Rep. Trail asked how many students were involved? Ms. Dennison said between 16 to 40.

Jim Reed, Superintendent of Weiser School District, testified that this bill would allow local districts to cooperate with out-of-state districts, thus enabling students to attend Idaho schools. He expanded on the Annex link to Weiser and said the Oregon tax measure made funding difficult. He also cited an 86% increase over the past 14 years for out-of-state tuition rates. He explained the increased enrollment at Annex K-8 and a \$41,000 difference between what Annex could raise for tuition fees and what would be charged. Therefore, they were asking to amend the law to allow a waiver of any portion of the tuition, subject to annual review of the local school board. With this bill, the Idaho State Board of Education would need to promulgate rules to seek a waiver and the local school board would review applications annually to decide how much the local district could contribute compared to the state's tuition rate. The funds waived by the local school district would be simply lost dollars to that district..

Rep. Shirley admired this good-neighbor policy, but wondered if this would have a greater impact across Idaho? Also, he asked if there was a transportation cost? Mr. Reed replied that tuition charges varied widely, often by several hundred dollars. If this waiver were employed, the impact would only be locally felt. As for transportation, Annex provided its own transportation to Weiser High School.

Chairman Barraclough asked about the estimated \$1M per year in border contracts? **Tim Hill**, State Department of Education, replied that Idaho students attended other states' schools at a cost of about \$140 per student, or an estimated \$700,000 a year.

Rep. Kemp questioned how a district would handle the shortfall and if they would later seek state funds to compensate them? Mr. Reed said that the 30 Annex students represented less than 68% of the Weiser High School student body. The waiver would not impact Weiser's fixed costs. In fact if they lost the Annex students, Weiser High School would have a significant loss in funding.

MOTION:

Rep. Nielsen moved to send S1050 to the floor with a DO PASS recommendation.

Rep. Cannon asked if Oregon children paid less than Idaho's \$714 per child for educational costs and was Idaho going to be educating Oregon children for less? Mr. Reed said the dollars from Oregon were amounts raised to educate their local children. The Weiser charges were based on the tuition certificates of the State of Idaho. The local school board would decide if the relationship was worthwhile to educate these children at less than it cost to education Idaho children.

Rep. Kemp questioned the language of the bill using the phrase "any portion" which could be interpreted to mean the entire amount. Therefore, she had reservations that this bill would short change local school districts and set a poor precedent for future districts. Chairman Barraclough commented that he believed local trustees would address this question. Rep. Denney remarked that Rep. Kemp had made an astute observation. He stated that if all Annex children left Weiser, they would loose about \$198,000. He believed the variable costs could be negotiated between the two districts.

Mike Friend, Idaho Association of School Administrators, commended that the system had two checks: the local school board plus the State Board of Education.

Rep. Rydalch asked if this would avail a school district to a legal suit? Mr. Denny said that he did not see that possibility. **Dr. Cliff Green**, Idaho School boards Association, said that question could not be answered as districts were sued for almost anything. He added that he did not see a potential for suit in this bill. Rep. Mitchell said that OSBE would have the final word on this, and their attorney general would surely review the situation. He was not concerned.

Chairman Barraclough called the question and the committee approved the motion by unanimous voice vote to send S1050 to the floor with a DO PASS recommendation.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:50 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 1, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:32 AM. He briefed the committee on last evenings meeting with the Idaho Bio-Science Association; presidents from ISU, BSU and UI; the new Idaho National Laboratory (INL) Director John Grossenbacher and speakers Christine King, President/CEO of AMI Semiconductors, Pocatello; Carl Feldbarron, past president of Biotechnology Industry Organization, Washington, D.C.; and Steven Burrill, CEO of Burrill & Company, San Francisco. He commented about a new mission for INL that would involve students working on cutting-edge projects in bio-sciences.

Rep. Rydalch added that she was excited to see the INL and Idaho universities establishing cooperative links with other leading-research universities across the United States.

S1002 **Sen. Goedde** recalled that last year the Legislature corrected some problems with school districts issuing driver permits for school bus drivers. This section of the law was overlook; therefore, this bill cleans up that section.

Rep. Cannon asked if HB054 was related to this bill? Sen. Goedde did not know. **Rod McKnight**, State Department of Education, affirmed that this bill would removed outdated language in the law. HB054 complimented this bill by addressing specific language for school bus licenses.

MOTION: **Rep. Boe** moved to send S1002 to the floor with a DO PASS recommendation. The motion carried by unanimous voice vote.

SCR112 **Education Board Rules, Rejected (Commercial Driving Schools)**

Allison McClintick, Office of the State Board of Education, stated that this resolution completed the legislative process regarding the rejected rule sections as previously approved by both the House and Senate Education Committees.

Rep. Kemp asked why this was before the committee again? Ms.

McClintick explained the legislative process to reject a rule which required a concurrent resolution.

Rep. Nielsen asked if these were the same sections in the rule that they had previously rejected? Ms. McClintick affirmed that they were the same.

MOTION:

Rep. Block moved to send SCR112 to the floor with a DO PASS recommendation. The motion carried with a unanimous voice vote.

Rep. Shirley asked if the committee could hear more discussion on the Bio-Science reception and dinner last night. He was pleased about the potential for research in Idaho that involved the three universities. He informed the committee about a bill coming that would make research at Idaho college and universities immune to the open records law. This would guard confidentiality in research at public institutions and enable these institutions to compete fairly with other research organizations.

Rep. Boe asked if this bill would reflect guidelines used by other universities nationwide? Rep. Shirley said that it would and added that the bill would have a public hearing this Friday.

Chairman Barraclough asked Rep. Shirley to get comments from the three Idaho university presidents regarding this upcoming bill.

Rep. Mathews appreciated the inclusion of higher education in cutting-edge research at INL to help solve world problems.

Rep. Rydalch affirmed the need for confidentiality in transferring research findings and technologies from public universities and federal laboratories to the market place. In the past, she served as a chair to a consortium of federal laboratories and agencies which previously were unable to cooperate with public universities. Since the 1980's these institutions have cooperated with amazing results, such as disposable diapers and the star wars light saber toy.

Rep. Boe acknowledged the variety of teaching styles and use of teaching tools, such as the master style of Christine King and use of PowerPoint, at the reception.

Chairman Barraclough asked Rep. Nielsen to carry SCR112; he agreed. He then asked Rep. Boe to sponsor S1002 on the floor; she too agreed. In conclusion, he suggested that committee members read the IACI report.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:00 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 2, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:05 AM. He asked the committee members to review the minutes for February 24 and 28, and March 1.

MOTION: **Rep. Bradford** moved to approve the minutes for March 1 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approve the minutes for February 24 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approve the minutes for February 28 as written. The motion carried by unanimous voice vote.

**PRESENTATION:
EASTERN
IDAHO
TECHNICAL
COLLEGE** **Rep. Rydalch** introduced veteran educator Bill Robertson, President of Eastern Idaho Technical College (EITC) in Idaho Falls. **Bill Robertson** spoke of his 33 years at EITC and how the school had grown from just a handful of programs without a campus to a viable educational facility on 65 acres amid professional and business facilities. He noted that EITC was a stand alone facility unlike its five sister programs housed on community college or state college / university campuses.

Mr. Robertson emphasized that EITC was a state institution supported by the same funding sources as other state college and universities in Idaho. They did not receive local taxes for support. He described EITC students as individuals who averaged 30 years of age; were somewhat fragile in financial strength; and normally worked their way through school with families. To serve area citizens, EITC did two things: helped people improve their lives; and stimulated economic development.

EITC provided four areas of emphasis: pre-employment credit; workforce development support for local industries; some developmental / special education; and high school professional-technical education. Mr. Robertson counted the majority of their courses under pre-employment credit, such as health education, mechanical trades, business, and emergency services. He said that students in their workforce development typically attend short-term classes, up to 30 hours in specific career

training. Their GED component served citizens returning to earn a certificate, immigrants learning the English language and advanced remedial and developmental students. Hand in hand with the GED, EITC provided Centers for New Directions, which offered counseling to displaced homemakers, widows and single parents.

Mr. Robertson also described EITC's high school consortium providing technical preparation classes as dual enrollment with 23 area high schools. Next, he talked about basic adult education programs offered in Idaho Falls as well as at outreach facilities from Salmon to Mackay. As an outreach effort, EITC also helped place qualified teachers in communities to "grow" their own nurses, a dramatic need in rural Idaho. EITC's final mission, economic development, abounded in training entry-level workers and cooperating with new and existing industry / business in the area by facilitating specialized training programs.

EITC challenges equated to funding the growing needs of students and the community within budget constraints. Mr. Robertson said that he was very protective of student fee increases and supported quality faculty through competitive salaries and benefits. He concluded saying EITC was very lean and focused on their mission to serve regional citizens and business.

Chairman Barraclough asked for more details about the EITC Health Center Building? Mr. Robertson described the ups and downs of bonding and federal loan dollars, which resulted in EITC relinquishing the federal funding for the construction project. He hoped that they would have clear land titles soon and be able to commence with the design and construction this year.

Rep. Mathews asked if they monitored placement rates? Mr. Robertson replied that they were keenly interested in ensuring jobs for students. To this end, they monitored their graduates and recorded an 80-95% placement rate in most fields; up to 100% in nursing. He said if they scored below 75%, they would gear-up to identify why and make adjustments in curriculum or eliminate fields in which the labor market had ceased.

Rep. Henderson inquired if EITC offered any tuition rebates, bonuses or incentives for graduates working locally? Mr. Robertson answered that local hospitals provided some financial support with overhead, but the students only received scholarship. He thought these were good ideas and would look into them.

Rep. Chadderdon asked if he had any enrollment figures? Mr. Robertson reported FY04 enrollment at over 1,500 full-time students plus short-term workforce training numbering over 6,000.

Chairman Barraclough inquired about distance learning through EITC? Mr. Robertson explained that they had some telecommunication offerings in Salmon and Arco plus some internet-bases electronic and nurse assistant programs. He asserted that most prof-tech classes required face-to-face instruction, and these technologies were somewhat limited.

Chairman Barraclough questioned him about a waiting lists for enrollment in some programs? Mr. Robertson replied that the small class sizes and limited equipment naturally limited enrollment in professional-technical classes. He agreed that they continued to have long waiting lists, but believed the steady, limited graduation of employable people helped keep the work force stable.

RS14551

Charter Schools, Limits Number New Charters

Rep. Mathews pointed out a typographical error on the statement of purpose. The fiscal impact should read \$250,000; not \$25,000. He talked about the governor's initiative for state universities to fund charter schools, and the initiative for advanced learning at charter schools. He described the success of charter schools and how more and more parents called for new schools. He explained that this bill would increase the number of potential charter schools to be approved to twelve each year.

Rep. Trail asked if they would have that many school applications each year? Rep. Mathews said he believed that they might.

Rep. Mitchell asked for the purpose of the emergency clause in the RS? Rep. Mathews said that was existing language in the law. He was only trying to change the number and did not change that language. Rep. Mitchell continued asking if this bill could hinder the budget setting process in JFAC? Rep. Mitchell acknowledged that an additional appropriation would be required later. Rep. Mitchell said that the emergency clause set the implementation in April, at which point there would be no appropriation. Rep. Mathews was uncertain about this being included in the current budget appropriations.

Rep. Trail asked if the \$250,000 impact was per charter school? Rep. Mathews said that his investigation with the Budget and Policy Office led him to believe that the budget could comfortably handle 12 schools at \$250,000 each. Rep. Trail asked further if that meant a total fiscal impact of about \$3M? Rep. Mathews answered that this accounted for only the six potential new charter schools for a total of \$1.5M.

MOTION:

Rep. Rydalch moved to introduce RS14551.

Rep. Boe acknowledged that some charter schools were doing well, but the final proof of overall success was still pending. She felt this would significantly impact existing schools within a district when new charter schools were approved. She felt adding more charter schools should be postponed.

**SUBSTITUTE
MOTION:**

Rep. Boe moved to hold RS14551 in committee.

Chairman Barraclough gave a brief history of the development of the charter school laws. He reminded the committee that charter schools were actually public schools. He said that the debate about it taking money from public schools was ill founded. He said the money flowed with the child regardless of which school the child attended. He also reminded the committee about the governor's request for Idaho

universities to establish charter schools, of which several were investigating this option. He said this bill was a way to facilitate charter school development in Idaho in response to parental requests.

Rep. Mathews added that this increase would allow districts the ability to respond to needs in their district. He trusted local administrators to allocate their budgets to the best advantage for all schools in their district.

Chairman Barraclough added that if transportation, local bonding and county funds for charter schools were removed from the figures, it cost about one-third less for charter schools. Additionally, charter schools tended to yield better student academic scores.

Rep. Pence said that charter schools were less viable in small school districts because these districts' budgets were tighter. Chairman Barraclough added that after five years, only 18 charter schools had been developed. He noted that small districts had not formed charter schools. Rep. Pence stated that if people proposed a charter school and received permission from the Charter Schools Commission, some districts did not have a choice.

Rep. Trail questioned if there was a surge in charter school applications, would the Commission handle the load? Rep. Mathews said that he believed them capable of handling the load. He added that this bill enabled more parental selection of schools and how their children were being educated. It was not a threat to traditional public schools. This bill enabled districts to address those children who would "fall through the cracks" of traditional schooling.

Chairman Barraclough called for a vote on the substitute motion to hold RS14551 in committee. The motion failed by voice vote.

The committee approved by voice vote the original motion to introduce RS14551.

RS15045

Posting of Annual Financial Records by OSBE, Board of Regency and Superintendent of Public Instruction

RS15046

Posting of Annual Financial Records by Health and Welfare

RS15047

Posting of Annual Financial Records by Department of Transportation

Rep. Mathews recalled the Governor's State of the State message in which he called for higher accountability by public agencies. Rep. Mathews said this bill asked agencies to post their attested financial statements on their own web sites each year. This would make it a statutory requirement enhancing public awareness of public finances.

Rep. Mitchell asked if all three bills were identical except for the targeted agency? Rep. Mitchell agreed. Rep. Mitchell further questioned if it was really necessary to place this in statute and if it might be simpler to accomplish this through a gubernatorial directive? Rep. Mathews said that he believed it necessary. Besides, it demonstrated the good faith of the legislature who were getting the most out of public funds during tight economic times. Rep. Mitchell agreed, but felt it simpler to apply the

current public information request law. He next questioned why the RS asked for two reports from the Office of the State Board of Education (OSBE) and the Board of Regency, when in fact these were one entity? Rep. Mathews said that he just wanted to make all government more user friendly. **Allison McClintick**, OSBE, affirmed that the two entities indeed filed one financial report.

MOTION: **Rep. Bradford** moved to introduce RS15045, RS15046 and RS15047.

Rep. Shirley questioned hearing that OSBE and the Board of Regency were one reporting entity? Ms. McClintick agreed and suggested that RS14054 should require two reports: one from OSBE and one from the Superintendent of Public Instruction.

Rep. Trail asked if this would cause a fiscal impact on OSBE? Ms. McClintick said it would be minuscule.

Rep. Kemp stated that there was existing law requiring all these entities to publish financial statements. She remarked that the word "publish" was interpreted as hard copy, bound copy, Internet, or other modes of publication. Therefore, she would vote against these RS's.

Rep. Mitchell added that there was a standard protocol to file financial statements with the Division of Financial Management and follow generally accepted accounting principles. Ms. McClintick agreed. Rep. Mathews said this would take the financial reports after processed by the State Controller's Office and clarify the need to post the statement by each agency on the web.

Rep. Rydalch admitted that whether this was good or bad, the committee needed to introduce these RS's and allow agencies to know their intent.

Chairman Barraclough called for a vote. The motion to introduce RS15045, RS15046 and RS15047 carried by a show of hands with 9 "ayes" and 6 "nays."

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:30 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 3, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

PRESENTATION: **Dr. Jann Hill**, Education Division Chair at Lewis-Clark State College, was pleased to talk about their teacher preparation program; a program that began when LCSC opened its doors as a normal school. She believed that the LCSC teacher education was a true gem graduating about 60 elementary teachers and 30 secondary teachers each year. Of their graduates last year, 92% were employed. Of these teachers, 84% were employed in Idaho with the remaining finding jobs in Washington and Nevada.

**TEACHER
EDUCATION &
ALTERNATIVE
CERTIFICATION
AT LCSC**

Dr. Hill exclaimed that LCSC responded to state and national suggestion for improvement. One such suggestion came by way of grants from the J.A. and Kathryn Albertson Foundation. From that partnership, LCSC improved the following areas of teacher education:

- Increased rigor of entrance requirements
- Developed new 2-semester Integrated Science class for elementary education majors including physics, chemistry, biology, and earth science aligned with K-8 standards
- Reduced credits in methodology and increased practica
- Added special education classes for all candidates
- Added reading assessment courses for elementary education candidates
- Created year-long internships with faculty supervision that replaced conventional student teaching
- Established cadres (teacher education faculty, on-site teacher educator & teacher candidate) with partner schools

After completing the Albertson grant project, LCSC saw new needs, such as the need for more American Indian teachers and the need to assist students who could not come to the LCSC campus. She talked about three initiatives to increase access and enhance relevance: Pathways to Accelerated Certification and Endorsement (PACE); Indian Education Professional Development (a federal grant assisting ten students now in teaching internships); AISLE Grant to establish an American Indian Resource Center and provide scholarships for para-professionals at tribal schools. The PACE Elementary for para-professionals yields a bachelor degree with teaching certification through Internet WebCt and webcams

seminars, two 8-week summer sessions on campus and internships virtually anywhere for AA degree candidates. The PACE Secondary takes recent college bachelor degree students, career changers, veterans and non-certified teachers through a three-day on-campus orientation, education courses on-line using WebCt and webcams, and internships again nearly anywhere. LCSC also provided endorsements on-line in English as a Second Language, Gifted/Talented, and partial Special Education.

Dr. Hill showed a map pinpointing LCSC students all over Idaho. She listed the grants that they have secured since the Albertson Foundation grant. She concluded talking about new initiatives at LCSC that included preparation of teacher candidates in the area of virtual education, establishment of a "lab school" on campus for gifted/talented students in response to a request from Lewiston, Carkston and Asotin school districts, and preparing for new state alternative routes for implementation in 2006.

Rep. Trail read from a message about ABCTE Alternative Route teacher certification dated February 26, 2005 (see attached). He asked in what ways the system could ensure teachers had adequate classroom management, teaching skills and content knowledge necessary? Dr. Hill believed that it was possible, but her bias was for a person who had never been in a classroom to demonstrate their competency through a period of observation. She said the ABCTE currently in use was unproven in this manner.

Rep. Trail then asked about internship periods tied to university classes for ABCTE candidates. Dr. Hill replied that the most powerful tool was mentored training for teachers.

Rep. Block inquired about 1) any problems encountered by teachers with mentoring programs and 2) tracking LCSC graduates to see how they were fitting in? Dr. Hill answered that they did find individual difficulties with the transition into teaching, so they provided a one-year mentoring assistance to schools who hired their graduates. As for tracking, they conducted follow-up queries on which their graduates scored 3.6 or better on a 4.0 scale in measured parameters.

Rep. Nonini wanted to know where the Native American grants came from? Dr. Hill said these were Indian Education Grants from the federal government plus support for tribal schools in the northwest to create professional development centers and more. Rep. Nonini wondered if the Coeur d'Alene tribe was contributing any of the gambling earnings toward these grants? Dr. Hill replied that she and others were pursuing this potential.

Chairman Barraclough added that ISU experienced low enrollment and retention in Indian Grant programs at Fort Hall and asked what was LCC's retention rate? Dr. Hill claimed a solid retention in their UI partnered program; they had lost only 2 candidates out of 27. The rest passed their teacher qualification tests. While enrolled, she noted that candidates had to report their ongoing grades regularly to qualify for monthly grant payments. Chairman Barraclough suggested that LCSC president share

this information with the ISU president.

Rep. Mitchell inquired if their graduates contributed any ideas to help make the teacher education program better? Dr. Hill said their graduates were not shy and certainly did give them feedback. She remarked that graduates gave them ideas at nearly any opportunity, such as at professional conferences, through the school's surveys, and during informal meetings. She acknowledged that math was their primary weakness.

Rep. Mitchell commented about the monetary contributions of the Coeur d'Alene Tribe, especially with the Plummer-Worley School. He asked if the committee could get a report on this information. **Chairman Barraclough** request the committee secretary to get this information.

Rep. Shirley noted that some teacher education students were poorly qualified or disliked teaching by the time they graduated. He asked what LCSC was doing to ensure success among their teacher candidates? Dr. Hill replied that they raised the requirements for their teacher candidates: 2.75 G.P.A., 3.0 G.P.A. in content area, pass basic skill tests and qualify with an entrance interview. Although they rarely turned aside a candidate, the entrance interview helped them pinpoint potential problems, such as spelling, language, or social skills, and helped them remedy these concerns prior to graduation.

Rep. Cannon asked if by placing teaching students in the classroom longer, did this increase the time needed to graduate? Dr. Hill agreed that secondary students required a fifth year, where as elementary students were able to complete in a four-year period because they had consolidated some methodology classes.

S1066

Sen. Stegner explained that S1066 dealt with school-age children who were truant. He discussed the Idaho constitutional requirement and Idaho Code 33-202 regarding school attendance. Idaho had always placed the responsibility on parents to ensure that their children attended school. In this light, S1066 allowed direct prosecution of a parent or guardian for knowingly allowing their child enrolled in a public school to become a habitual truant. This bill included only children ages 7-16 enrolled in public schools and expressly excluded home schooled children. It provided a mechanism for schools to avoid the convoluted process of juvenile adjudication to reach parents who habitually refused to send their public-school enrolled child to school. This bill provided a misdemeanor penalty for an offending parent or guardian who is convicted of this charge.

Chairman Barraclough recalled former bills on compulsory attendance that failed: kindergarten attendance; and 16-18 year old compulsory attendance. He asked if this could be addressed? Sen. Stegner replied that this bill only addressed 7-16 year olds. He explained that if the parent was diligently trying to get a truant teenage or child to attend school, that parent would not be liable under this bill because:

- The school must document that the absences were parental caused
- The prosecuting attorney must concurred that the parent was failing to perform

- The judge must rule that the parent was truly at fault.

Bob Donaldson, Principal at Jenifer Junior High School in Lewiston, testified about the repeated, futile attempts of school staff, teacher, counselor, and principal to encourage select parents to get their young children to school. These children missed between 30-50 days of school by no fault of their own; parents simply refused to send the child to school. He explained that this bill requires school boards to determine if a child is habitually truant and enables the school which may bring charges against the parent. He affirmed that a student's academic success hinged on their consistent attendance in class. He supported S1066.

Craig Lenzmeier, Principal of Webster Elementary School, spoke of parents who would not reinforce the attendance policy for their children enrolled in a public school. He described diligent efforts over the past six years by a coalition of community professionals in Nez Perce County who employed a wide variety of contacts and encouragements to solicit parental cooperation to get children to school. This bill would address those few children in each school building, through no fault of their own, want to be in school, but are denied. He too supported S1066.

Dr. Joy Rapp, Superintendent of Lewiston School District, explained the following four points about S1066:

1. Makes it a misdemeanor for a parent or guardian of school-aged children enrolled in a public school to knowingly fail, neglect or refuse to educate a child.
2. Clearly sets consequence for not complying with the compulsory attendance law already found in Idaho Code 33-202 and, most importantly, holds the responsible person accountable.
3. Inclusion of the misdemeanor would provide clear guidance to school personnel, parents and the court system of the potential consequences of violating the compulsory attendance law.
4. With this legislation, a district would have the discretion to pursue a misdemeanor against a parent or to determine that the adjudication of the youth was the most appropriate action.

She stated that attendance is important, however, without S1066, we have no way to help the 10-year olds who cannot usurp parental authority or who cannot take care of chronic head lice on their own accord. She attested that S1066 placed the responsibility of compulsory attendance squarely on the shoulders of the parents or guardians. She too supported S1066.

Phil Kelly, Boise State University Professor and Senior Policy Analyst for the Center for Community Development, supported S1066 and summarized the following four facts:

- As average daily attendance dropped, the chance of failing the statewide standards test more than doubled for students.
- Truancy was the primary predictor of drug and sexual activities among youth.
- Prisons have a high population of school drop-outs.
- Drop-outs account for nearly \$1.5M in lost earning power over a lifetime.

Sherry Ann Adams, Principal at Melba Elementary School, stated statistics that confirmed lower test scores for students with poor attendance in school, such as of 89 student who missed more than 12 days of school, 33% scored below grade level with 24% below in math and 30% below in reading. On the IRI test, only 50% were at grade level when they missed more than 12 days of school. In fact, improved attendance the next year did not result in much improvement in test scores. She said they must abate absenteeism; she asked for support of S1066.

Robin Nettinga, Idaho Education Association, offered to send her comments in written testimony to the committee secretary later. **Chairman Barraclough** agreed and thanked her.

Mike Friend, Idaho Association of School Administrators, said that he had polled their members who also supported this bill.

Heather Reilly, a deputy prosecutor, said this bill simply removed the requirement that the child first be adjudicated through a juvenile corrections court before the parent would be addressed. She supported S1066 to help keep 7-9 year olds out of court.

Dr. Cliff Green, Idaho School Boards Association, reported that at their November conference, the trustees overwhelmingly supported this bill.

Sandra Stange, School Social Worker in the Boise School District, said kids needed help to attain regular attendance. She reported that parents who were not fully functional failed to ensure that their children attended school regularly. Perpetually absent children often went into juvenile corrections system, ending up as impaired adults in our society. This in turn repeated the cycle. She believed that holding the parent accountable legally would help deter chronic non-attendance. She supported S1066.

MOTION:

Rep. Mitchell moved to send S1066 to the floor with a DO PASS recommendation.

Rep. Nielsen questioned language in some sections of the bill that appeared confusing about academic progress of home schooled children? Sen. Stegner explained that the bill did not expand any existing roles of school boards to become involved in the quality of a child's education. It did, however, separate public school attendance from home school participation.

Rep. Nielsen then inquired if community organizations were involved in helping schools get children to school? Sen. Stegner believed that school districts often utilized all sorts of community assistance to learn about a child's absence from school and try to help get the child back into the classroom. Ms. Adams affirmed that many community groups helped.

Rep. Mathews queried about the legal remedies for a misdemeanor charge? Ms. Reilly answered saying that the bill defines the offense as a misdemeanor, which had specific penalty under the default section 18-113 of Idaho Code.

Rep. Nielsen wondered about the use of “shall” and “may” in the legislation? Ms. Reilly assured the committee that this language did not make a difference regarding the type of charge; it clearly sets a misdemeanor as the charge.

Chairman Barraclough called for the question. The committee approved by voice vote sending S1066 to the floor with a DO PASS recommendation. Rep. Shepherd requested recording his vote as “nay.” Chairman Barraclough assigned Rep. Kemp and Rep. Shirley to sponsor the bill on the House Floor.

**REVISE
MINUTES of
FEBRUARY 25**

Rep. Kemp missed the review of the minutes. She pointed out an inconsistency on page 4 regarding which Idaho institution had the highest fees. **Rep. Boe** also recalled a different response about fees. **Chairman Barraclough** requested the secretary to investigate and amend the minutes with the approval of Rep. Kemp to correct the minutes. The committee concurred.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned at 10:25 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 4, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

Chairman Barraclough acknowledged the Idaho Republican Women visiting the Statehouse and the committee meeting.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:30 AM. **Rep. Kemp** inquired about the amendment to the minutes for February 25; the secretary affirmed the changes.

S1149 **Sen. Cameron** introduced S1149 to extend Idaho Digital Learning Academy (IDLA) from grades 9-12 to 7-12 and to change the name of the professional development coordinator to be curriculum and instruction coordinator. He explained that many Idaho school districts had requested that instruction be offered for seventh and eighth graders as well. He noted his youngest child was diagnosed in seventh grade with an auditory learning problem and missed lengthy oral directions and information. The IDLA format would greatly assist him to stay with his grade level by logging on and completing courses at his own speed at the computer through written instructions.

Chairman Barraclough commented that the Senator's son is a good example of how the education system in Idaho reaches out to help students.

MOTION: **Rep. Wills** moved to send S1149 to the floor with a DO PASS recommendation.

Rep. Boe asked where the academy would be hosted? **Dr. Nick Hallett** replied that it would be housed in Boise at the Idaho Association of School Administrator's office, and the fiscal agent would remain in Blaine County.

Rep. Nielsen expressed disappointment about the budget for IDLA and asked if JFAC would enhance their funding? **Sen. Cameron** said JFAC had established target budgets and would vote on the Public School budget Monday. He explained that Dr. Howard had asked for a \$900,000 increase for advanced placement; JFAC thought IDLA could serve this purpose, as well as for remediation. **Chairman Barraclough** stated that

he also supported funding for IDLA.

Dr. Hallett continued explaining the expanded scope of this bill. He pointed out that this bill would reflect business as it was currently being done.

Rep. Boe asked if there was a confusion between Idaho Digital Learning Academy and the Idaho Virtual Academy? Dr. Hallett said that IDLA was not a charter school, but the Virtual Academy was. IDLA served any school district in the state. Students could enroll from anywhere in Idaho and the courses would show on their resident high school transcript.

Rep. Block noted that gifted/talented and low-achieving students often were left behind. IDLA offered them opportunities. She wondered why IDLA was not offered to even younger children.

Rep. Nielsen supported the bill saying it allowed students from all districts with limited access to good learning opportunities in a wider variety of courses.

The committee approved by unanimous voice vote sending S1149 to the floor with a DO PASS recommendation.

HCR017

Rep. Garrett summarized HCR017 to recognize teen suicide as the second leading cause of death among young Americans. It was a preventable tragedy with proper intervention, which may be initiated by those who work with children in schools recognizing the warning signs. She cited some heartbreaking statistics about suicide in Idaho where boys 15-17 were five-times more likely to complete suicide, but girls attempted suicide twice as many times. She noted that fire arms were a common method and age, gender, mental health and aggressive behavior completed the scenario. This resolution encouraged existing teacher education schools to inform their teacher candidates about suicide prevention. The resolution was supported by the State Board of Education, Governor and First Lady.

MOTION:

Rep. Kemp moved to send HCR017 to the floor with a DO PASS recommendation.

Rep. Boe probed if this resolution passed, would teacher education departments be informed of the curriculum as well as about the Jason Foundation? Rep. Garrett said that they would be informed.

Rep. Mitchell asked what was the most prominent sign for suicide? Rep. Garrett said that she believed substance abuse and mental health were the most common parameters. She commented about two programs: Jason Foundation and the Red Flag Program, but nothing took this information into teacher preparation classes in Idaho. She commented about students in attendance who had surveyed a local middle school regarding teen suicide awareness.

Sam Hafer, student, called suicide the silent epidemic among teens. He remarked that teachers were trained in CPR and sex education, but not about suicide prevention.

Sally Pfleger, student, said in a national survey, one out of five students said they considered suicide; 4 out of 5 who completed suicide had displayed warning signs.

Spring Byington, student, added that only 25% of teachers surveyed felt comfortable helping a student who was contemplating suicide. This resolution would help educate teachers about the five warning signs of suicide.

Juli Bassett, student, stated that suicide killed more 15-24 year olds than cancer, aids, birth defects, stroke and chronic lung disease combined. She said that knowing the five signs could save many lives.

Marilyn Baughman, Community Liaison at Intermountain Hospital, cited costs of teen suicide from an Ada and Canyon county survey, such as \$9,000 direct costs to the family, \$90,000 spent by just Ada and Canyon Counties following suicide of a child, and an estimated \$726,768 costs to the state and Idaho families for hospitalization and medical treatment.

Rep. Cannon asked what were the five warning signs? The teens jointly replied listing the five warning signs: 1. loss of interest in favorite activities and friends; 2. giving away or assigning possessions to others; 3. dropping grades and apathy about school; 4. abrupt change in behavior or out-of-character actions, mood swings or crying spells; and 5. suicidal threats. The flag of concern should be raised when 3-4 signs were present.

The committee voted by unanimous voice vote to send HCR017 to the floor with a DO PASS recommendation.

**RS15087
H0217**

Rep. Rydalch asked if the committee could hear these two bills simultaneously. All agreed.

Dr. Cliff Green affirmed that the Idaho School Boards Association (ISBA) supported mentoring with accountability, but wanted the committee to consider five points, as follows:

1. School districts did have requirements for mentoring.
2. The State did not provide funding for mentoring for the past two years, and anticipated none this year.
3. School districts were being sued for not providing mentoring.
4. In the compilers notes of Idaho Code 33-514A, it noted that if no funds were appropriated, the passers of the original bill requiring mentoring would be null and void.
5. School districts wanted money to go for students, not for litigation.

Dr. Green acknowledged the plethora of emails to retain mentoring, but H0217 only removed the mandate to provide mentoring. He explained that RS15087 offered an alternative: controlled, pilot mentoring projects with some schools offering mentoring and others not. These pilots would provide data about student achievement and dollars invested.

Rep. Kemp stated that she was uncomfortable with the language on lines 17-19 in RS15087. She reported reading the four law suits and struggled to draw the conclusion that these suits were due to Idaho not funding

mentoring. She questioned if these bills and this discussion were appropriate? She asked if there was an attorney general's opinion on these cases to decide if mentoring was the problem? Dr. Green said he believed that mentoring was a key cause according to legal review at their disposal. He reiterated that the bottom line were districts being sued. Rep. Kemp asked if the suits were for mentoring or lack of funding? Dr. Green replied both. Rep. Kemp inquired if Legislative Services Office attorneys had reviewed the cases as a second opinion? Chairman Barraclough replied that none had been done to his knowledge.

Rep. Mitchell asked if breach of contract was the basis for the law suits? Dr. Green agreed. Rep. Mitchell then asked even with the removal of the mentoring, would that eliminate the breach of contract cases? Dr. Green agreed that the Idaho Education Association could sue for whatever they liked.

Rep. Mathews asked if this RS and H0217 resolve the problem of a mandate without funding? Dr. Green agreed.

Rep. Wills was concerned about a knee jerk reaction to the litigation of four cases, about repeated reports that mentoring was vital, and about how to get school boards out of this defensive position. He asked if there was another tool? Dr. Green said that this RS was the tool and H0217 would remove the position of liability. Rep. Wills continued asking why this could not be accomplished using current mentoring programs in schools? Dr. Green replied that each district had different mentoring plans. They wanted the pilot schools to be similar in character, plans and mentoring methodology. Also, no data had been collected to date that could compare to what the pilots might provide.

Rep. Boe asked if there was a lack of understanding about what constituted mentoring? Chairman Barraclough said past studies showed a variety of mentoring methods. Dr. Green acknowledged that there was a lot of confusion about mentoring. The mentoring review committee's report last week noted the diversity of methods and problems. Rep. Boe continued asking how many schools would be involved in the pilot project? Dr. Green replied that the pilots would be a controlled experimental model with two types of schools: one with mentoring; one without mentoring, and the State Board of Education would define the number of schools based on federal dollars available for the project.

Rep. Rydalch commented about the inconsistencies among districts in implementing mentoring and the complaints from teachers about mentoring practices. She was concerned if delaying H0217 would cause more litigation and encourage districts to hold back educational dollars to budget for potential suits. She felt that mentoring should not be a mandated in statute.

MOTION:

Rep. Rydalch moved to send H0217, followed by RS15087, to the floor with a DO PASS recommendation.

Rep. Shirley echoed the concern about deleting mentoring from the law and about the transition period with this RS. He was worried that without a law, some districts would provide mentoring and others not, especially if

there was no state funding. He asked if the RS would suffice alone? Dr. Green said that it would not because mentoring would still be required by law. Rep. Shirley then asked if he recommended deleting mentoring in Idaho Code? Dr. Green agreed because districts would still be able to continue mentoring.

Rep. Mitchell asked if Rep. Rydalch's motion covered both bills? Rep. Rydalch said that was incorrect. Rep. Mitchell asked if funding had been provided by the State, would Mr. Green have been there presenting these bills? Dr. Green said that he would not. Rep. Mitchell then asked if this committee supported funding, perhaps it would be funded. He then asked if anyone had looked to the private sector for funding? Dr. Green responded that JFAC leadership did not plan to fund mentoring that year, and private funding had been sought with grants to conduct the proposed pilot project.

Chairman Barraclough stated that he would not propose money for the system as it existed. He commented that this was an ongoing program in which the educational system was not enforcing its own rules, yet mentoring was not being administrated according to teachers' reports. He had heard that some paid mentors were not fulfilling their obligations, and he disliked spending public money for a job not done. He had asked a year ago to find a fair way to accomplish mentoring for teachers and to create accountable mentoring in Idaho. He said they needed the educational community, school boards, administrators and teachers to do the right thing and implement sound mentoring without asking JFAC for more money. Dr. Green added that they were willing to run this pilot and get data to help the committee address mentoring methods.

Rep. Nielsen (not hear question). Dr. Green said the pilot would allow then to do that.

Rep. Nonini remarked that Post Falls District continued to use discretionary funds to finance mentoring and that was a huge burden on the district. He supported the two bills.

Rep. Bradford agreed with Rep. Nonini.

Rep. Boe asked if the committee would get copies of comments about the misuse of mentoring and if Rep. Rydalch's motion applied only to the RS and to hold H0217 until later?

Rep. Block, as a former teacher, commented about the value of mentoring and about serving on the interim committee that found problems with the existing mentoring programs. She supported the work of the interim committee and the proposal of a pilot.

Rep. Wills asked if anyone traveled the districts gathering data? (No hear answer)

Chairman Barraclough asked for the will of the committee: act on these two bills or wait?

Rep. Rydalch repeated her motion to move RS15085 to print and follow

with H0217 to be heard together on the floor. She asked if Dr. Green was in favor of this approach? Dr. Green agreed. She further clarified that she did not intend for any further testimony when this RS returned as a bill; both bills would be sent to the floor with a Do Pass recommendation.

Rep. Mitchell asked if the committee could deal with RS15085 separately at that time and look at both next week? Rep. Rydalch stated that she thought time allowed for them to deal with both when she originally made the motion at 9:30 that morning.

**SUBSTITUTE
MOTION:**

Rep. Mitchell, with the approval of Rep. Rydalch, moved to introduce RS15087. The motion carried by unanimous voice vote.

Chairman Barraclough apologized to those who were not able to testify and invited them to return. The Chairman then asked the committee to review a JFAC public school support budget sheet and be prepared to present recommendation for the chairman to present to JFAC next week.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:58 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 7, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 9:02 AM. He announced that RS14866C1 had inadvertently been sent to two german committees. The three sponsors were members of the other committee, which was meeting at that hour. Rep. Wood, as a sponsor, had pulled the bill from the House Education committee. Therefore, if anyone in the audience wished to hear RS14866C1, they needed to move to Room 404 immediately.

Rep. Block then announced her decision to have H0274 held in the House Education Committee due to budgetary constraints.

Chairman Barraclough explained to the committee that he had mistakenly understood that JFAC would be setting the public school budgets on Wednesday or Thursday, but they were setting those budgets that morning. He apologized to the committee for not enabling them to confer on the proposed budgets more and getting further recommendations to JFAC.

RS15111 **Rep. Rydalch** said this joint memorial asked the President, Secretary of Energy, Congress and the Idaho Congressional Delegation to continue their support of the new mission of the Idaho National Laboratory (INL). She requested the committee's approval of this memorial and suggested sending the RS directly to the second reading of the floor.

MOTION: **Rep. Wills** moved to introduce RS15111 and to send it to the floor for second reading.

Rep. Boe asked if they could change the statement of purpose for INL was not exclusively in Idaho Falls? Rep. Rydalch said the headquarters were located there, and agreed to the change.

The committee by unanimous voice vote approved the motion to introduce RS15111 and to send it to the floor for second reading calendar.

DISCUSSION: **Funding Priorities for K-12**

Rep. Trail mentioned a letter that he had delivered to the chairman asking if in the past, a Legislative Budget and Policy Analyst had summarized the proposed JFAC budget prior to setting the budget.

Rep. Boe added that the previous chairman had defined the germain committee's role as setting policy for educational matters, which would guide JFAC in budget setting.

Chairman Barraclough commented on the their recommendations to JFAC late in February, but he unintentionally missed preparing in time to give a public school budget recommendation from the committee to JFAC this week.

Rep. Mathews thanked the committee for their support of H0287. He explained that with hesitation and certainty, he requested holding the bill in the House Education Committee due to the tight State Budget.

Turning to the education budget, **Chairman Barraclough** commented about negative press toward JFAC regarding funding of education. He praised his committee members who withdrew bills in consideration of the tight budget. He then asked if there had been four charter schools approved this year? **Allison McClintick**, Office of the State Board of Education (OSBE), was not sure how many during the calendar year or fiscal year. She would inquire.

Rep. Nielsen praised the chairman for his support of IDLA before JFAC.

After reviewing the Public School Support Profile from JFAC, **Rep. Kemp** inquired where the money went that the governor felt was available? Chairman Barraclough explained that JFAC was still undecided about CEC for teachers and state employees, as well as more money for Professional-Technical Education. So, there was a little bit of money to play with.

Rep. Shirley asked if JFAC felt it was their obligation to be more conservative and hold back more than the Governor's recommendation to keep the State solvent next year? Chairman Barraclough agreed adding that for years, JFAC said the State was structurally imbalanced by using one-time funds for on-going budget items so that there might be \$118M left over for next year.

Rep. Mitchell remarked that amount was still probably not enough to fund everything next year. It being an election year, he believed it would become the fourth to fifth year of not being able to meet the educational budget requests.

Chairman Barraclough agreed about the five year period and added that he could not remember any year in which they could fully fund the education budget requests.

Rep. Mitchell commented that they should look at the educational needs regardless of what revenue was available. This committee's job was to prioritize what education needed. It was Revenue and Taxation Committee's job to look at the revenue end.

Rep. Rydalch agreed with Rep. Mitchell about prioritizing. She added that FY05 appropriation at \$1.149M compared to FY06 at \$1.174M was indeed an increase to education no matter how the press reported it. Chairman Barraclough anticipated a possible increase of 3-3.3% overall in education for FY06.

Rep. Mitchell summarized the budgeting process and affirmed that this committee needed to look at what they felt was important to support. He felt they had not done that.

Rep. Block recalled the large increase to education when dollars were available in the budget and how the legislature as a whole supported as much funding to schools as possible. She commented about the five-year drought in Idaho and its impact on state revenue. She felt that her district wanted the state to be financial secure. Therefore, she felt the need to balance state revenue with educational allocations as much as possible.

Chairman Barraclough told the committee about the pressure on the state budget for increasing expenditures in corrections, Health and Welfare—especially in Medicaid, and education. He was pleased that higher education would receive more funds in FY06.

Rep. Nielsen agreed with Rep. Mitchell that this committee must focus on educational funding priorities and ask another committee to remove Health and Welfare from driving the state budget.

Rep. Mitchell noted the JFAC recommended budget for K-12 showed less for the Division of Teachers and Division of Children, yet more for Division of Operations and Administration. He questioned why and requested that the committee have the Budget and Policy Analyst return to explain those budget items.

Chairman Barraclough concurred to schedule Mr. Hancock again. He also alerted the committee about SJM106, which they would be hearing on the next day. He said that legislation had received brutal testimony and was very critical of the No Child Left Behind Act (NCLB) and its funding by the federal government. He commented that the committee would have input from the State Department of Education (SDE), State Board of Education (OSBE), Idaho Education Association (IEA) and the U.S. Department of Education on this legislation tomorrow.

Rep. Boe added that Allison Westfall, SDE, had been looking at NCLB in Utah. She suggested inviting her to tomorrow's meeting. Rep. Rydalch commented that several legislators were not supportive of what happened in Utah. Chairman Barraclough remarked that a year ago, leadership had discussed NCLB with OSBE, SDE, and IEA and came to the consensus that Idaho did not wish to ignore the federal funding opportunities with NCLB, but hoped to interject some Idaho policies, such as ISAT.

Rep. Rydalch wondered if Seattle would be able to report on NCLB dollars spent by each state and how much each was getting? Ms. McClintick replied that Utah was meeting with the U.S. Department of Education and the new Secretary of Education. Utah had received two waivers regarding NCLB. Idaho had good connections with the federal

office and Rep. Rydalch wished to keep their options open. Chairman Barraclough asked for a copy of SJM106 be distributed to the committee so they could study the memorial before tomorrow's hearing.

Rep. Mitchell commented on the mechanism for a state to request unused federal funds when another state opted out. He asked if Idaho could request some of those funds? Chairman Barraclough said that was a good suggestion, which he would forward to Eric Earling in Seattle.

Rep. Trail inquired if Idaho had spent all of its federal funds? Ms. McClintick said that all federally funded programs were on schedule and on target for funds.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:35 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 8, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Block

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:31 AM.

SJM106 **Sen. Goedde** described SJM106 as a memorial dealing with No Child Left Behind Act (NCLB) and as a joint effort among Idaho Education Association, trustees, and school administrators to encourage the Idaho congressional delegation and U.S. Department of Education (USDE) to tailor NCLB to Idaho needs. He stated that last year's memorial did help change some issues for Idaho, and Congressman Otter had requested more specific information to continue modifications.

Rep. Rydalch explained that she had problems with this memorial, especially the wording on lines 37-38. She wondered if Mr. Otter was unaware of recent developments toward flexibility in NCLB for states and Idaho's working relationship with the new Secretary of Education. She thought this memorial might jeopardize that relationship before the new secretary had a chance to demonstrate what she could do for Idaho. Sen. Goedde replied that her main concern was a judgement call. He did not consider a recommendation by a constituent to be a slap in the face. As for lines 37-38, he explained that they wished to see the sanction of remediation imposed before the choice of changing schools, which was currently just the opposite in NCLB.

Rep. Trail asked if there were adequate federal funds for NCLB in Idaho and if not, was there a deficient? Sen. Goedde said he was not sure about adequate funding to Idaho, but recalled that there was not enough money to implement all required under NCLB. **Dr. Jana Jones**, State Department of Education (SDE), provided a fact sheet (Idaho Adequate Yearly Progress 2003-04 Quick Facts, attached) to the committee. She explained that there had been new re-authorizations which created some conflicts between NCLB and the Individuals with Disabilities Education Act (IDEA). This memorial looked at how NCLB focused on group growth and subsets of students creating problems with numbers of students residing in a district over the 1% cap. It focused on the mandate for highly qualified teachers and para-professionals, which caused problems in rural schools where special education and Title 1 teacher requirements were difficult to attain.

Marybeth Flachbart, SDE, showed deficiencies in Idaho for 41 requirements under NCLB. She explained that the reading proficiency put many schools on the alert status with NCLB. She stated that growth was a primary factor in Idaho, as with Oklahoma, Iowa and Massachusetts where the USDE had approved "growth models." She added that Idaho had made significant progress in reading skills.

Rep. Trail asked how the 113 missed Adequate Yearly Progress (AYP) goals the second year compared with those of the previous years? Dr. Jones did not have that data, but believed 40-50 schools missed that year.

Rep. Boe wanted to know what the level of funding was under the IDEA? Dr. Jones said that those funds had increased and were steady: federal funds at 40% of cost. In Idaho, about 20% of the costs, even with the increased funds, left Idaho lacking. Rep. Boe then asked of the nearly 40% who missed AYP targets, what resources were available under the Title 1 funding? Dr. Jones said the school boards were looking at all resources, including special education and Title 1 funding. SDE found many were not proficient in reading last year and many had not received services through special programs.

Allison McClintick, Office of the State Board of Education (OSBE), read a letter from State Board Member Karen McGee (attached). The letter described a new working relationship with Margaret Spellings, new Secretary of Education, USDE's considerations of "growth models," exceptions for students who were medically unable, inconsistencies between IDEA and NCLB, and potentials for the State to design its own requirements to meet highly qualified teachers requirements. The letter further expressed concern that SJM106 might impair this positive relationship.

Rep. Mitchell did not see a conflict between the memorial and Ms. McGee's letter. Both, he felt, worked toward the same goals and questioned if they did not? Ms. McClintick commented on Ms. McGee's recent return from Washington D.C. and reflected that the federal people did not look positively on Utah's actions.

Rep. Trail inquired if this letter represented Ms. McGee's advise, not that of the State Board? Ms. McClintick agreed saying that Ms. McGee hoped to keep the doors of communication open. Then, Rep. Trail affirmed his belief that the memorial was proactive and synergistic with Ms. McGee's efforts and those of the State Board, Department and legislature to resolve problems. Ms. McClintick reiterated Ms. McGee's caution to not send the memorial.

Rep. Rydalch wished to see a consistent message to Washington D.C. that might retain a positive relationship.

MOTION:

Rep. Rydalch moved to hold SJM106 in committee.

Chairman Barraclough pointed out Eric Earling's memorandum for the Seattle USDE (attached). The Chairman summarized that at first NCLB appeared to give accountability with federal funding to assist Idaho. In

fact, it had created a series of implementation problems for Idaho. Presently, the question remained: did the legislature wish to educate in Idaho's way or in the methods outlined in NCLB? He asked the committee to decide if this memorial helped or hurt Idaho's cause. He commented that in his career, he had found Washington D. C. to be sensitive when they were paying the bill.

**SUBSTITUTE
MOTION:**

Rep. Mitchell moved to send SJM106 to the floor with a DO PASS recommendation. He urged the committee to look at the final page of the memorial and pointed out that it was addressed to Congress, not the USDE. He also noted that asserting a state's view of NCLB, such as Utah had, might lend more consideration of Idaho's needs. Therefore, he felt this memorial was appropriate to let Washington D. C. know what small states needed.

Rep. Trail concurred with Rep. Mitchell. He recalled that the committee did not have an official statement or opinion from the State Board of Education. He quoted Thomas Jefferson regarding when a citizen could not communicate their concerns to the national government, that would cause a negative impact on the democratic process. He urged the committee to support the substitute motion.

Rep. Rydalch again expressed concern with the message of the memorial. She referred to Mr. Earling's memorandum stating a 62% increase in funding for NCLB equaling \$92M for Idaho in 2005, plus \$46M to Idaho for Title 1 Parts A and B implementation. She could not see how that was "inadequate funding." In conclusion, she expressed her reservations about the timing of this memorial.

Rep. Henderson mused about the need to strategically include positive and negative factors in any communication of this type. He acknowledged the positive results of several AYP numbers from the Department. Frankly, he said that he could not support this memorial due to its negative tone. Chairman Barraclough commented that the original memorial was even more negative. Rep. Nielsen believed that Congressman Otter had alluded support for this memorial and wondered if he knew about the offer in Mr. Earling's memo to work with USDE.

Rep. Mitchell said this memorial would direct such questions to congress.

Rep. Rydalch called for a roll call vote on the Substitute Motion. The motion failed with six "ayes," 11 "nays," and 1 absent or excused. The individual votes were as follows:

Ayes = Representatives Trail, Shirley, Kemp, Boe, Mitchell, Pence

Nays = Chairman Barraclough, Vice-chairman Rydalch, Bradford, Cannon, Nielsen, Wills, Chadderdon, Henderson, Mathews, Nonini, Shepherd (8)

Absent/excused = Representative Block

**VOTE ON
ORIGINAL**

Chairman Barraclough called for a voice vote on the original motion to hold SJM106 in committee. The committee approved the motion by voice

MOTION: vote.

DISCUSSION: **Jason Hancock**, Budget and Policy Analyst, provided the committee with a Joint Finance and Appropriations Committee (JFAC) Public Schools Budget Breakout and Alternative Intent Language for Section 5 of the Public Schools Division of Children's Program appropriation bill. He stated that the budget, as passed by JFAC, gave a 2.3% increase from the general fund and 2.7% increase in total funds. The endowment fund amount had been kept the same as last year to support these amounts. He noted that the Division of Operations included expenditures that did not fit elsewhere, such as classified employee salaries, property tax replacement, transportation dollars, and more. He explained that the Division of Children's Programs included border contracts, exceptional tuition equivalents, contracts for group homes, Booth Memorial, lottery funds used for bond levy equalization, and school facilities fund balancing.

Mr. Hancock stated that the JFAC budget accommodated growth due to an increase in student population, which was not included in their earlier estimates.

Chairman Barraclough asked where most of the growth was found? Mr. Hancock said it occurred in thirds: one-third in the Meridian School District; one-third in charter schools as an aggregate; and one-third in all other school districts combined.

Rep. Trail questioned why districts' technology and remediation were lumped together? Mr. Hancock said that was in part an expanded usage of dollars coming from the Office of Performance Evaluation's report on public school technology spending. The report indicated that districts had done a good job of getting computer equipment, but found inadequate personnel to support that equipment, such as one technician per 500 computers compared to the industry average of one per 250. He pointed out the increase in technology budget from \$8.4M in FY05 to \$9.5M in FY06. This increased the funds available for information technology staff by about \$1M from FY05, and it changed from one-time funds for on-going expenditures or ISAT remediation. In this way, JFAC put dollars in the districts' budgets for remediation with some flexibility.

Mr. Hancock continued saying the current budget reflected the increase in student count, but it did not include dollars for the 1% base salary nor the 1% change in employee compensation (CEC) accomplished by the fund shift proposed for college/universities. Concluding he said that the final budget was not yet set, and the amount left over was still uncertain. He pointed out that the Idaho Digital Learning Academy funding matched Dr. Howard's request of \$900,000.

Rep. Nielsen quizzed why the administrative division's budget was greater than the teachers' division, and did this allow for the steps and lanes changes? Mr. Hancock said FY06 assumed no change in the index, unlike previous years in which the index had increased annually. This difference was due to the changes in retiring teachers and new hires. He stated that the steps and lanes were allowed.

Rep. Mitchell asked if the \$165M federal funds for local school districts represented all federal dollars to Idaho or only the amount included in the state budget? Mr. Hancock said only the pass-through federal dollars. Local districts might receive federal dollars from other programs directly. Rep. Mitchell inquired how much of the various title fund dollars were held in the Office of the State Board of Education? Mr. Hancock answered that he would have to get that information from his office later.

Rep. Wills queried if there was a change of plans to increase discretionary funds? Mr. Hancock responded that JFAC heard the plea for discretionary funds often. In the last few years, the general fund dollars modestly increased; the school districts raised more. This was offset by cuts in public school support to keep the per classroom dollars in the black. It all boiled down to cuts in the endowment distributions. This budget was based on no cuts in endowment from FY05. Therefore, it allowed discretionary dollars to grow.

Rep. Nielsen asked about the percentile to teachers versus administration? Mr. Hancock stated that two things influenced these numbers: 1) FY05 had loaded the entire cost of unemployment costs into the Division of Teachers. This allocation was moved to each division this year. 2) The majority of this percentile shift was accounted for in manual adjustments in salary apportionment to better reflect actual utilization by districts.

Rep. Trail, noting a lot of one-time money in the FY06 budget, asked how much carry-over was possible for the reserve? Mr. Hancock explained the public education stabilization fund was being completely utilized this year. JFAC was concerned with this issue as well as CEC, shortfall school budget, etc., but they would be revisiting this for a FY07 cushion later. Overall, he said that the JFAC target budget would leave about \$45M carry-over for FY07. Also, the education budget was \$910,000 over the original JFAC target for public schools.

Rep. Boe requested an explanation of the Alternative Intent Language? Mr. Hancock referred to Section 5 of the Children's Programs' budget saying this language replaced old wording. It changed the dollar amounts from \$250,000 to \$200,000 and altered the percentage from the safe and drug-free school program distributed to each school. It also added the option for the funds to be used for safe and drug-free school programs or to defray the cost of community resource workers in the schools. In essence, this would annually draw-down the Idaho State Police (ISP) forensic lab funding from the public school cigarette dollars. Chairman Barraclough acknowledged Rep. Henbest's work on this line item.

Rep. Boe then inquired if this was the only place where the State funded community resource officers? Mr. Hancock agreed; but added that he was not sure if any state funds flowed through the Health and Welfare budget for this purpose.

Rep. Rydalch wanted to know what the money taken from ISP was used for? Mr. Hancock said it was used in the ISP crime lab? Rep. Rydalch asked if that effected getting "druggers" of the streets? Mr. Hancock replied that he believed that would be better answered by Dick Burns,

analyst for that budget.

Rep. Mitchell stated that the ISP lab was the central crime lab for all law enforcement in Idaho. He added that they had difficulty retaining staff. **Randy Tilley**, Division of Financial Management, agreed with Rep. Mitchell and explained that those dollars were intended to help the forensic lab test for drugs through the juvenile system. The lab also did DNA, fire arms , tools, etc. testing for local and state police.

Rep. Mitchell noted that Rep. Rydalch had identified a sensitive issue. It begged the question if there was adequate resources for a stable lab operation, which handled the new hair testing for drugs used among many high school athletic departments in Idaho.

Rep. Wills concurred with this concern for adequate dollars for drug testing and school resource officer's use of the laboratory.

Chairman Barraclough thanked Mr. Hancock and asked Tim Hill if he had further comments on the public school budget? **Tim Hill**, SDE, commented that if Mr. Hancock had gone section by section in the budget, he probably would have discussed the changes in flooring, the elimination of 20 support units for new/existing charter schools, the approval date changes for charters to help budgeting and the summer program from IDLA with changes in support units.

Chairman Barraclough announced a 3:00 PM meeting at the OSBE regarding ISAT. He encouraged members to attend and asked for a count of attendees.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned the meeting at 10:00 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 9, 2005

TIME: 8:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:31 AM. He drew the committee's attention to the minutes for March 3, 2005.

MOTION: **Rep. Kemp** moved to approved the minutes for March 3 with deletion of a incorrect statement on the last page. The motion carried by unanimous voice vote.

PRESENTATION: **Dr. Carolyn Mauer** described her career as an educator since 1970 working as a teacher, coach, administrator and regional representative for local, state and national educational organizations. She was Idaho's point person at the Idaho State Department of Education (SDE) when charter schools began in 1998. Now, she was pleased to serve as the principal for a new charter school, Rolling Hills Charter School in Eagle, Idaho. This charter school planned to open next fall serving a diverse socio-economic mix of families and students.

Rolling Hills strongly exemplified a "three-legged stool" support of educational professionals, parents and community representatives who worked hard to charter this school. The school would employ the Safe Harbor Method and focus its curricula on socio-economic issues to prepare students to become productive citizens in the 21st century. The curricula would include study of the global market place, worldwide politics, sociology, economics, religious institutions, cultures, customs and more; all critical components of world interaction and communication.

Chairman Barraclough asked where the school would be located? Dr. Mauer replied that it would be located at Hill Road and Old Horseshoe Bend Road near Eagle.

Rep. Trail complemented Dr. Mauer on her work with the Moscow charter school and helping them secure federal funding. He asked how many students did they plan to enroll? Dr. Mauer answered saying 270 students, K-8th grader to start. They hoped to add 9th grade classes during their second year.

Rep. Nielsen asked if the "three-legged stool" approach would work at

traditional brick-and-mortar schools? Dr. Mauer confirmed that triple support was key. She talked about how charter schools were using research and development to guide their efforts, where as traditional schools were more bound by existing regulations and practices. She hoped that charter schools might serve as examples from which superintendents of traditional schools might draw ideas to improve their schools.

Rep. Boe asked if she had any ideas to incorporate ethnic groups in schools? Dr. Mauer said the parents of Rolling Hills decided to locate this school where their primary attendance radius included the highest diversity of socio-economic neighborhoods. Plus, they were advertising in both Spanish and English and utilizing real estate advertisements to solicit diverse student enrollment.

Rep. Mathews inquired if the parents plans and targets for Rolling Hills were on schedule? Dr. Mauer affirmed that they had constant communication with Tim Hill at SDE about their budget, were carefully caring out their building plans, and had initiated hiring of professional staff for the school. She felt confident that they would remain on schedule and would handle their money efficiently. She noted that of all existing charter schools, only one had some difficulties. Rep. Mathews continued asking if Rolling Hills, and other charter schools, were at least as efficient with their funding as traditional schools? Dr. Mauer believed them to be extremely efficient.

Rep. Nonini recalled a resolution approved by this committee that encouraged international and worldwide cultural studies; he was glad to hear about the Rolling Hills educational focus. Dr. Mauer concurred saying she embraced this vision/philosophy whole heartedly. She praised the founders of the school for wanting strong basic education without losing sight of the social sciences.

Chairman Barraclough added that he admired their parental involvement and proclaimed it to be the secret weapon of charter schools. He did, however, caution the Rolling Hills founders and staff that there were critics out there, and he encouraged them to do the right things in administering this school. Dr. Mauer then introduced Henry Kulczyk, Vice-chairman of the Rolling Hills Charter School founding committee and Kristine Reynolds, Executive Director of Rolling Hills.

Rep. Shirley closed their discussion praising Dr. Mauer for her work in Freemont County where she was a teacher/administrator.

RS15133

Mentoring Task Force / Authorize Pilots & Reports

Dr. Cliff Green, Idaho School Boards Association, introduced two new routing slips, RS15133 and RS15128. Taking suggestions from prior House Education Committee hearings on HCR019 and H0217, these RS's accomplished the following key modifications:

1. Removing the requirement from 33-514 to avoid the unfunded mandate.
2. Making it a duty of the board of trustees of a local district in 33-512 to provide support for teachers in their first year in the profession.
3. Uncoupling the teacher support programs from contracts which

- has been the crux of the problem.
4. Providing a mechanism (pilot program) for everyone to keep an eye on the mentoring program via a directive from this body to the State Board of Education (OSBE).
 5. Charging the State Board of Education task force on mentoring to look at existing Idaho district's mentor programs with a focus on setting up procedures to collect specific data, i.e., student achievement "gain score" data.
 6. Requiring districts to collect quantitative data, in addition to anecdotal qualitative data, to measure effectiveness.
 7. Stipulating a report in 2006 to the House and Senate Education Committees on the progress of the pilot and a final report in 2007 with programmatic and funding recommendations.

Chairman Barraclough talked about a report from the SDE containing pages of comments on mentoring in Idaho schools. He noticed many negative remarks by teachers saying mentoring was poorly done at many schools, if at all. He was displeased about spending public money on a program that was not run efficiently or not delivered at all. He remarked that the only emails that understood H0217 were in support of the bill.

Rep. Boe asked if every member of the committee had a copy of that report? Chairman Barraclough said that copies had been distributed in a previous meeting.

Chairman Barraclough turned to Dr. Cliff Green, Idaho School Boards Association, asking where the material in the report came from? Dr. Green recalled that this committee had asked OSBE to review the mentoring program; this was the response after four months of review by a selected committee. The review was reported to this committee on February 24, 2005. At that time, the House Education Committee made some suggestions; one of which was a pilot project to gather data about the value of mentoring. OSBE offered federal funds to conduct such a pilot.

Rep. Kemp called the committee's attention to an incorrect code citation in the SOP for RS14158. Dr. Green agreed and asked for the correction to be made.

Dr. Mike Friend, Idaho Association of School Administrators, concurred with the changes made in the two RS's before the committee. He said that H0217 was nothing but a contract bill, but the new RS addressed that issue as well as affirmed support for teachers in their first year in the profession in a new section 18 in Idaho Code 33-512. RS15128 also amended Idaho Code 33-514 to eliminate the statutory requirement that districts' provide support programs for teachers during their first three years, eliminated the SDE's charge to develop guidelines and procedures for district teacher support programs, and uncoupled the district teacher support requirement from the issuance of district employment contracts.

Further, Dr. Friend explained how RS15133 promoted improving teacher performance through continued training. It would establish pilot projects to collect data, analyze progress, determine teacher development and how it related to increased student achievement, and report pilot project findings to the legislature. He affirmed that mentoring was too important to strike

out; he supported the two RS's before the committee.

Phil Kelly, Boise State University Professor and Senior Policy Analyst for the Center for Community Development, testified against H0217. He stated that currently many charter schools and districts were not in compliance with the mentoring rules. He stated that it was not possible to separate mentoring requirements from the teacher contracts. He added that no district with adequate peer review ever lost a suit for wrongful termination, because judges looked at mentoring as a due process right.

Chairman Barraclough inquired how to address a district that recognized a bad teacher, but could not fire that teacher? Mr. Kelly affirmed if the teacher was bad; firing was appropriate. Chairman Barraclough queried about the threat of law suits by those teachers? Mr. Kelly replied that if the money spent on law suits were invested in mentoring up front, it would have been more efficient. Chairman Barraclough continued noting that most of those teachers were mentored; it was the threat of law suits that impeded the districts. The Chairman found no comfort in Mr. Kelly's responses. Chairman Barraclough then asked if Boise State University had funds to help here? Mr. Kelly answered negatively and asked to continue his testimony.

Mr. Kelly said that H0217 was an all or nothing bill. He supported the routing slip (RS) to reduce mentoring to the first or second years of teaching. As for smaller districts, he suggested that SDE could support their efforts through a consortium. Lastly, he noted that HCR019 proposed a pilot study in mentoring, yet no one testified about the good works of mentoring. He urged the committee to support the charge that public schools continue to engage in mentoring.

Robin Nettinga, Idaho Education Association (IEA), provided case summaries (attached) for the four law suits between teachers and their school districts. She said the debate should be about whether local school districts should have been required to do mentoring despite funding. She emphasized Ms. Haycock's and Mr. Hershberg's support for teachers in the classroom. She elaborated on the four elements of teacher support outlined by SDE. She stated how the interim committee reinforced the need for mentoring and the importance of confidentiality between mentor and mentoree. She then refuted comments made in the testimonies of others

Chairman Barraclough acknowledged that Ms. Nettinga's position was good in theory, but that kind of mentoring was not being done in reality. He asked her to read the negative comments in the report, which were a harsh indictment of the educational system. Ms. Nettinga replied that she did not interpret those responses to mean mentoring was not being done; only few districts not doing it. The Chairman said he had heard complaints for years. He then affirmed that he wanted to see mentoring done where appropriate with accountability. Ms. Nettinga acknowledged negative teacher comments, but believed these predated 2000.

Rep. Boe asked for an explanation of administrative support? Ms. Nettinga said that the SDE guidelines outlined administrative personnel to observe teachers in the classroom; then give the teacher feedback about their successes and struggles with suggestions for improvement. Rep.

Boe then asked who were the administrators? Ms. Nettinga replied the person varied according to the size/type of district; it was often the principal.

MOTION:

Rep. Kemp moved to introduce RS15133 and commented that it was an excellent restatement to replace HCR019.

Teresa Molitor, Lobbyist for the Idaho Association of Commerce and Industry (IACI), expressed gratitude for the interim committee report on mentoring. She corrected a former statement about the business community being involved in that effort; it was not. However, she had not seen any data that verified whether better student achievement came from mentoring, whether the later was funded or not. She commented about the success at Taft Elementary School under Dr. Suzanne Williamson without any special project or additional funds. Instead, Taft established a culture of collaboration among teachers and expectation of excellence. She stated that IACI supported H0217 to eliminate the legal problems.

Ms. Molitor continued saying the true question was the value of mentoring. Instead, the interim committee looked at 1) did districts have mentoring and 2) what should be done with the code regarding law suits. She said that JFAC did not fund mentoring because they were not convinced that it was being done efficiently. IACI was concerned with what Idaho was getting out of the expenditure for mentoring. In addition, she questioned the assertion that the mentor/mentoree relationship raised to the level of sacred trust found with a doctor, priest or lawyer. She troubled by the SDE rules that prohibited such testimony. Again, she asserted that good leadership was tied to good management, the arena of expertise enjoyed by IACI members, and that IACI supported H0217.

Rep. Trail asked how much impact had law suits had on insurance premiums for school districts? Ms. Molitor said she was not qualified to answer that question.

Rep. Rydalch inquired if IACI would support RS15133 and RS15128? Ms. Molitor agreed that they would, because it eliminated the language that created liability for school districts.

**SUBSTITUTE
MOTION:**

Rep. Rydalch moved to introduce RS15133 and recommended sending it directly to the second reading on the floor with a DO PASS recommendation. She justified her motion explaining that the committee had completed several days of discussion and testimony on this issue and the session was nearing its end.

Rep. Boe questioned lines 29-31 in RS15133 spoke of appointing a task force where as the statement of purpose calls for the existing task force to remain in place. Further, she said this task force was not bi-partisan, therefore, she could not support RS15133. If this bill succeeded, she hope that OSBE would extend the task force to become bi-partisan. Dr. Green replied that the task force served at the will of the State Board of Education.

The committee approved by voice vote to introduce RS15133 and recommended sending it directly to the second reading on the floor with a DO PASS recommendation.

RS15128**Support Programs for School District Employees****MOTION:**

Rep. Rydalch moved to introduce RS15128 and recommended sending it directly to the second reading on the floor with a DO PASS recommendation.

**SUBSTITUTE
MOTION:**

Rep. Shirley moved to introduce RS15128. He justified his motion saying he wished to hear more discourse about the consolidated concepts in this RS since it was different from the RS just approved.

Rep. Rydalch explained that this RS only added what the committee had asked for in previous discussions. It bridged support for first year teachers in their professions.

Rep. Kemp favored the substitute motion because many people in audience had not seen the new resolutions in these RS's. As due process, she wished to hear their voices on RS15128.

Rep. Trail reiterated support of the substitute motion noting a number of changes.

Rep. Rydalch stated that RS15128 really did not have that many changes: one line adding the first year support for teachers. It was intended to collaborate with RS15133 and together these RS's would replace H0217 and HCR019.

Rep. Nielsen remarked that if the committee had more time, a hearing would be in order. However, they were near the end of the session and the senate yet needed to approve these bills. Also, the two RS's needed to be heard together.

Rep. Boe supported the substitute motion as she did not see the link between the two RS's.

Chairman Barraclough called the question on the substitute motion; the committee failed to approve the motion to introduce RS15128.

Rep. Rydalch called for a roll call vote on the original motion to introduce RS15128 and recommended sending it directly to the second reading on the floor with a DO PASS recommendation.

The motion passed with 13 "ayes," 5 "nays," and 0 absent or excused. The individual votes were as follows:

Ayes = Chairman Barraclough, Vice Chairman Rydalch, Representatives Bradford, Block, Cannon, Nielsen, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8)

Nays = Representatives Trail, Shirley, Boe, Mitchell, Pence

**H0217
HCR019****Teachers, Support Program Deleted
Mentoring Task Force / Authorize Pilots & Reports****MOTION:**

Rep. Kemp moved to hold H0217 and HCR019 in committee. The motion

carried by unanimous voice vote.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 10:24 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 10, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Block

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:01 AM. He called the committee's attention to the minutes for March 4, 7 and 8, 2005.

MOTION: **Rep. Kemp** moved to approved the minutes for March 4. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approved the minutes for March 7. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approved the minutes for March 8. The motion carried by unanimous voice vote.

Chairman Barraclough advised the committee that JFAC had approved funding for additional staff at the Charter School Commission. He added that JFAC hoped to use the surplus eliminator for a 1% raise for teachers.

Next, the Chairman talked about the success of teachers and administration at a traditional school—Taft Elementary School—and how he supported any part of education that was doing a good job for Idaho children. He summarized the House Education Committee's legacy supporting education: ISAT to help get accountability; started charter schools; made Idaho Education Association membership voluntary; and passed alternative teacher certification. He hope to continue supporting good ideas and practices in education for Idaho students.

Rep. Bradford described an Idaho school superintendent's and his wife's amazement at what was being done at Taft Elementary School. He remarked how folks tended to get set in their ways. He said educators needed to look at alternatives that worked and share those ideas for the betterment of education.

PRESENTATION: **Literacy Matters! – Lee Pesky Learning Center**

Hildegarde Ayer, Executive Director of the Lee Pesky Learning Center (LPLC), informed the committee of the Learning Centers involvement with Taft Elementary School. She touched on changes in neuro-science,

teaching technology, learning disabilities, school readiness, research-based literacy instruction, professional development, and the National Governor's Association Task Force on School Readiness Report–2005. She stated that an 18 nation literacy study showed 59% of U.S. high school graduates did not read well enough to cope adequately with complex demands of everyday life. Also, she reported that 35-40% of 4th graders were not reading at grade level and that 20% of students had learning differences or learning disabilities.

She emphasized the following points about education today:

1. Early childhood development influenced how children related to school and how they learned.
2. The flood of information on learning disabilities was improving educational techniques.
3. Good education was not just one good teacher at one period of time, but a continuum of quality instructors over the years.
4. Professional development using quantitative measures, i.e., IRI, ISAT, positively influenced teacher growth.

Ms. Ayer said these things were the premises for the Lee Pesky Learning Center, founded in 1997. Its mission was to provide direct services, training and consultation, and materials and tools to Idaho educators and parents.

The Center provided direct services across Idaho in educational testing, assessment, remediation for individual learning disabilities and counseling. They initiated "Bridges to Learning," a professional development conference for Idaho educators and offered consultant services to the Idaho Legislature in designing the Idaho Comprehensive Literacy Plan. Based on neuro-scientific and educational research, the Center became a vendor for "Every Child Can Read." Coupled with the Albertson's Foundation, the Center launched distance learning by delivering "Every Child Can Read" statewide. In 2002, the Center co-chaired with Mrs. Kempthorne the Federal Early Literacy Summit for the Northwest Region. Near the same time, the Center received Whittenberger funds to translate "Every Child Can Read" into Spanish, and Random House offered a contract to distribute this book nationwide. When Congressman Simpson saw these books, he sponsored a congressional appropriation in 2005, which gave birth to "Literacy Matters!"—an educational campaign from birth to five years old.

Dr. Julie Wall, Project Director for Literacy Matters, described their efforts in Idaho to meet the goals of Literacy Matters by placing a literacy awareness booklet in the hands of every new mother in the state of Idaho for a period of five years. The plan would involve hospitals, birthing clinics and midwives, obstetrics/gynecology and pediatrician's offices across Idaho. The plan would integrate the Imagination Station Library from the Dollywood Foundation and build a survey for tracking caregivers who received the booklet. The plan targeted nearly 20,000 households throughout the state.

Musing about suspicious receptions by some families when organizations try to go into their homes, **Chairman Barraclough** asked how they planned to overcome this resistance or sense of intrusion? Ms. Ayer acknowledged that consideration and explained that they did not go into

the home. Rather, they used professional service centers (hospitals, doctor's offices, etc.) to distribute the booklet and offer follow-up with a video. Their only governmental connection was funding sources.

Rep. Boe queried about a rumor that Idaho colleges of education were not teaching how to identify and correct reading disabilities? Ms. Ayer replied that according to her knowledge, was incorrect. She illustrated by talking about Northwest Nazarene University and University of Idaho work with their center on literacy programs. She did acknowledge that across the nation, generally higher education did not utilize research to prepare teachers on both the graduate and undergraduate level as effectively as they could.

Continuing, **Rep. Boe** asked if colleges were offering additional classes for elementary teachers as part of the Idaho Reading Initiative? Ms. Ayer replied that she believed three courses were required under the Idaho Comprehensive Literacy Act, and all public elementary teachers were required to take these courses by 2004. She proclaimed that the Center's course work set the standard for these ventures in Idaho, while the Albertson's Foundation provided significant funding.

Rep. Boe then inquired if it may be possible to share the "Every Child Can Read" with public libraries that have early childhood reading classes or perhaps share it with parenting classes at the Idaho Correctional Institutions in Boise and Pocatello? Ms. Ayer thought those were good suggestions and would investigate.

Rep. Mitchell wanted to know if the 2004 Idaho Reading Initiative had been evaluated yet or were they still waiting? Ms. Ayer commented that she thought they were talking about two different things here. She explained that teachers already in the classrooms were required to complete the courses by 2004, but she was unaware of any changes in teacher education instruction. She pointed out that the IRI was somewhat an indicator of achievement. She believed that the Albertson's Foundation had evaluated higher education regarding their pre-service course work. She had not yet seen a report from the Albertson's Foundation. Rep. Mitchell acknowledged the value of this report for the entire committee and asked if they could get a copy.

Looking at those teachers already teaching, **Rep. Mitchell** ask if there would be an evaluation of those teachers? Ms. Ayer did not know. She suggested that the State Department of Education might use the IRI as a tool for this assessment, but acknowledged the lack of comparative data with no IRI ten year ago.

Rep. Nielsen was intrigued by the linguistic capacity of 0-5 year olds. He asked if there were things that he could purchase? Ms. Ayer said this was not something you could purchase; rather it boiled down to simply talking to your infant/toddler, making up rhymes and playing games about sounds. She stated that vocabulary development was one of the most important things for a child in school preparedness. Dr. Wall added that the value of "Every Child Can Read" was in its influence on early childhood development despite the environment of the home. Dr. Wall added that they would try to partner with libraries so parents would have

free access to the books suited to these early ages.

Rep. Boe inquired about bi-lingual and tri-lingual language development in children? Ms. Ayer commented about robust research in this field. For example, teaching at least 50 words of a second language during the first 18 months of life enable the child at ages 8-10 to have bi-lingual skills. Dr. Wall added that the key factor was learning language at an early age, not necessarily multiple languages. She added that their booklet was available in both Spanish and English.

Rep. Shirley commented about over 700 being enrolled in the Dollywood Foundation program for pre-schoolers in his district. The children received a book a month geared to their individual reading level. He asked if this could be done statewide? Ms. Ayer said that was being done through a grant affiliated with PacifiCorp, which was only available in eastern Idaho. It was also only offered through school districts. The program cost about \$38 per year per child with parents voluntarily enrolling their child in the program. If a similar program might be available statewide, she assumed about 22,000 births per year would cost about \$3M per year. She then briefly described how Tennessee conducted a statewide program as a fund-match with local entities.

REPORT:

Allison McClintick reported on the committee's question regarding the number of charter schools approved in Idaho. She stated that basically six charter would be opened each school year. However, JFAC would like to have those approvals by January 1, so they could budget for the schools. She also announced a school board meeting at Boise State University that day.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:03 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 11, 2005

TIME: 9:30 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Representatives Trail, Bradford, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Vice Chairman Rydalch, Representative Block

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 9:35 AM. He asked the committee to review the minutes for March 9, 2005.

MOTION: **Rep. Nielsen** moved to approved the minutes for March 9. The motion carried by unanimous voice vote.

Chairman Barraclough shared messages from Boyd Mauer and Jerry Helgeson with the committee. He updated them on S1019 saying its companion bill, S1170, was held in the Senate Education Committee. Therefore, they would be hearing S1019 next Wednesday.

RS15131C1 **Specify Services/Treatments, Medical Assistance**

Rep. Rusche explained the development of RS15131C1 and that all parties approved this version of the bill. The bill provided for the following:

1. Experimental services would be excluded from the Medicaid plan; this might result in some cost savings to the State.
2. The Director would have the discretion to allow participation in experimental services if they were at least as cost effective as traditional services.

He said this may save years of chronic institutional care, plus it may build a body of knowledge about such services. He asked the committee to print this RS and recommend sending it to the Health and Welfare committee.

MOTION: **Rep. Block** moved to introduce RS15131C1 and recommended referring it to the House Health and Welfare Committee. The motion carried by unanimous voice vote.

Chairman Barraclough announced no committee meeting for Monday, March 14.

DISCUSSION: **Rep. Pence** spoke about Mr. Helgeson's letter and his wish to talk about the excellent mentoring program in the Meridian School District. **Chairman Barraclough** replied that if the committee would like to hear his testimony prior to voting on the floor, he would gladly invite Mr.

Helgeson to the committee. Committee members conferred about the timing of the bill on the floor, the potential for end-of-the-session speed-up, identified the new bill as H0317, and agreed that next Tuesday would be a reasonable time to hear Mr. Helgeson's testimony.

Rep. Kemp thanked the Chairman and committee for the ISAT workshop earlier that week. It helped her understand the complexities and fluidity of the test. **Rep. Boe** suggested that all committee freshman legislators should take the ISAT for their own edification.

If there was committee time available, **Rep. Cannon** requested a discussion about funding related to charter schools. He had a draft legislation which he would appreciate critiques from the committee. Chairman Barraclough agreed to discuss charter school funding and suggested perhaps inviting Jason Hancock, Tim Hill and Tom Farley to contribute to their discussion.

Rep. Kemp commented that such understanding would help her answer questions from her constituents about charter school funding.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned at 9:53 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 15, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:04 AM. He directed the committee to review the minutes for March 10 and 11.

MOTION: **Rep. Bradford** moved to approve the minutes for March 10. The motion carried by unanimous voice vote.

MOTION: **Rep. Bradford** moved to approve the minutes for March 11. The motion carried by unanimous voice vote.

Chairman Barraclough acknowledged the lobbyist and the committee's comments about sending HCR20 and H315 directly to the second reading calendar, as well as concerns by the Speaker and himself for adequate public hearing. Listing the number of people signed-up to testify and the number unable to do so, he explained the time dilemma facing this committee was to fit testimony from everyone into the allotted time daily before the floor convened. He also explained that an anticipated session termination date was pushing legislation more rapidly; however, that date was postponed. Therefore, the Speaker had held these two bills at the desk and returned them to this committee for an extended public hearing. Further, if anyone had concerns regarding how he managed the committee, Chairman Barraclough warmly invited that one to talk with him.

Rep. Nonini fully agreed with the Chairman.

Rep. Shirley appreciated the Chairman's remarks and expressed gratitude for returning these two bills for further hearing in the committee.

Chairman Barraclough restated his original opinion to send the bills to second reading since the issues had received lengthy discussion during five previous committee meetings, and he believed the session was near its end. He then welcomed John Watts and asked him to summarize the two bills.

School Boards Association (ISBA), affirmed the trustees thorough debate on this issue and their wish for full discussion in the legislature. He explained that the trustees felt trapped by the law and their support of mentoring. H315 and HCR20 were crafted to incorporate ideas expressed by the board, by this committee and by the teachers. This package of bills (H315 & HCR20) would provide the following:

1. Trustees have asked the legislature to repeal the law mandating mentoring. However, hearing the concern about eliminating mentoring and professional support for teachers, H315 would add a section to Idaho Code 33-512, which would "provide support for teachers in their first year in the profession." Each district would have the duty to provide mentoring within their own budget, personnel and situation.
2. To bridge between the repeal and new duties, HCR20 would provide an opportunity to analyze mentoring methods in pilot projects using the State Board of Education's (OSBE) task force and provide suggestions based on sound examples of mentoring.
3. HCR20 would direct an analysis to identify quality mentoring programs; effective, consistent methods of professional teacher growth; ensure fiscal accountability; and standardize data collection for measuring program effectiveness. It would provide for a progress report and a final report to recommend statewide teacher support program components, flexibility for local control, funding requirements, and necessary administrative rules for implementation.

Chairman Barraclough inquired as to what constituted "measurable results?" Mr. Watts replied that Dr. Green, ISBA, provided a strategy for measurement using ISAT scores tracked along with mentoring to see if it made a difference. He added that they had considered three separate bills, but felt that too cumbersome for passage. Therefore, they folded the former H217 into H315. This yielded removal of the law, addition of a new power for school boards, and bridged this bill with HCR20 outlining the pilot program.

Rep. Boe questioned what was included in "support for teachers?" Mr. Watts replied that this definition was left to the districts until after the pilots were completed. This enabled each district to provide mentoring within their budget and personnel abilities.

Rep. Boe continued asking what assurance did they have that districts would provide some type of mentoring support? Chairman Barraclough responded that the legislature had no assurance even when they funded mentoring. Mr. Watts said there was no reason to eliminate the types of support (peer assistance, professional development, administrative support and mentoring), so these bills provide the requirement for support and the pilots offer opportunity to match what works best in each district.

Lastly, **Rep. Boe** asked if districts would fund mentoring even in a tight budget year? Mr. Watts said HCR20 clearly outlined a plan for mentoring pilots and reports with which the legislature might change the direction of mentoring as they saw fit.

Rep. Rydalch commented that some districts felt mentoring was more

successful before teachers were paid to mentor. Funding had entered greed into the process, she believed. She asked if districts could do mentoring with measurable, accountable results without being mandated to do so? Mr. Watts could not speak as to where this pilot and its recommendation might go. He believed that the State Department of Education would be involved and be able to create a program with districts to get measurable programs in teacher development. The objective was to develop the best teachers to help our students.

MOTION:

Rep. Kemp moved to send HCR 20 to the floor with a DO PASS recommendation.

Rep. Mitchell, knowing that funding was a key element, asked if districts or the State Board looked at other sources of funding, such as Title IIA? Mr. Watts queried if he meant before or after the pilot? Rep. Mitchell clarified saying both, especially for schools not a part of the pilots. Mr. Watts said that he believed the resolution used only non-state funds for the pilots. **Allison McClintick**, Office of the State Board of Education (OSBE), added that Title IIA funding was possible. She noted that OSBE had used Title IIA, plus Albertson's Foundation dollars, for the MOST Committee. She said some Title IIA funds did go directly to districts where it was used at their discretion: sometimes for mentoring; sometimes for other things. She added that the President of U.S. had identified some funds for teacher quality, and OSBE would keep an eye on those future sources.

Rep. Mitchell commented that districts have opted to use these funds for non-mentoring expenditures. So, he asked if the money was there and if districts still did not provide mentoring, what was wrong? Mr. Watts said the money alone was not the issue; it went beyond the law suits and funding. It went into what was accountable mentoring. He acknowledged funding in the past, yet some districts did not offer mentoring. On the other hand, some districts did not have funding, yet they did offer good mentoring programs. Rep. Mitchell asked anyone in room if there was ever 100% participating of districts offering mentoring when funding was provided? Chairman Barraclough answered describing the past years of JFAC funding, yet teachers reported inconsistent or no mentoring while the mentoring teacher received more pay. This created resentment among teachers.

Rep. Mathews believed this bill provided a direction, despite the recognized "full circle" on the mentoring discussion. Mr. Watts appreciated the full discussion.

**MERIDIAN
DISTRICT
MENTORING
PROGRAM**

Jerry Helgeson, President of the Meridian Education Association, gave his personal background in education during which he had served as an unpaid mentor to other teachers. He described how the Meridian School District employed five full-time release teachers who worked strictly with new teachers. He introduced one of these teachers: Brenda Mahler.

Brenda Mahler, walked the committee through printed slides summarizing the District 2 mentoring program (attached). She explained that they studied various mentoring programs, including the Santa Cruz Project. Meridian provided five full-time teacher advisors serving teachers

in K-12 and special education. Their foundational belief (“caring competent, and qualified teachers in every classroom was the key to student success in school”) was implemented through a tripod of support for teachers: administrator, mentors and advisors (see attached for definitions of each). She emphasized the importance of confidential communication within the tripod framework. She also described their two-day orientation for new teachers. She concluded citing statistics about mentoring nationally and in Meridian District. She said over the past five years, Meridian’s percentile of new teachers remaining in the profession was about 79%. She expressed concern about “ditching” what they had in mentoring for a pilot project; likewise, she believed that a successful program would provide useful data about mentoring that worked.

Mr. Helgeson concluded saying Meridian District led the state in IRI scores. He suggested using retired teachers as mentors. He also suggested that smaller districts work together and share one person who would rotate among those districts providing mentoring. He encouraged the committee to save money and skip the pilot projects by using existing successful mentoring methods already used in Idaho.

Rep. Nonini asked if the purpose of mentoring was to get teachers up to speed so students passed on knowledge? Mr. Helgeson agreed. Rep. Nonini inquired what data was available in Meridian that equated the monetary expenses of mentoring with academic growth? Mr. Helgeson replied that the Meridian District’s history of student growth in IRI, ISAT and level testing scores demonstrated their success. He offered to provide copies of these test results. He further questioned how to measure a student’s success as each individual was different, each career was unique and there were many ways of measuring success from the percentage of graduates from high school to the number of citizens contributing in their communities.

Rep. Trail commented that teachers, parents, society and the environment all influenced student success. He said that identifying mentoring as a specific impact was very difficult and subjective. Mr. Helgeson responded that they also teach their new teachers how to communicate with parents to support student achievement.

**CONTINUE
HEARING ON
H 315
HCR 20**

Robin Nettinga, Idaho Education Association, supported HCR20, but opposed H 315. She said that teaching was the only field without staged entry. The mentoring program provided this entry support linking novice teachers with experienced teachers. In H315, she questioned the definition of support and the limit of one year support for new teachers.

A brief discourse occurred about retention percentiles in the nation versus those in the Meridian District.

Chairman Barraclough called for the vote on the motion.

Rep. Mitchell noted that he supported HCR20, but he questioned the verbiage of “well designed, reasonably funded” and “models tested may include existing programs.” He also was uncertain about the use of non-state money and wondered if that meant general fund dollars only? Ms. McClintick could not answer. Rep. Mitchell asked that the Board inquire

about these questions and correct them in house so they could get the results.

By unanimous voice vote, the committee approved sending HCR 20 to the floor with a DO PASS recommendation.

MOTION:

Rep. Rydalch moved to send H 315 to the floor with a DO PASS recommendation.

Rep. Block commented that her district reported that some parts of the mentoring program did not work. She supported the mentoring pilot so districts could participate and incorporate concepts into their own programs.

Rep. Pence wished to see more than one year of mentoring required. Chairman Barraclough responded that districts had the latitude to implement more if they liked. He believed districts did not need the legislature to spell out all conditions. Rep. Pence continued expressing concern for those districts who were not offering mentoring. Chairman Barraclough suggested that representatives with experience in teaching should go to their districts and talk about mentoring.

Rep. Wills acknowledge how difficult this decision was for him as he still had some questions. However, he put his stock in the school boards to look at all mentoring programs and faithfully get the information back to the legislature. He said that he would support this bill and hoped the legislature would follow-up with local districts to see what was happening. He too did not believe districts needed everything spelled out for them.

Rep. Nielsen noted that Mr. Helgeson had mentored his peers for years without additional pay. He asked if he would continue a mentoring program despite what was in the law and funding? Mr. Helgeson said that he would continue their mentoring program no matter what. Chairman Barraclough commended him for his dedication to the teaching profession.

Rep. Bradford stated that his district had a good mentoring program, which they planned to continue despite the status of funding. However, they were concerned about the law mandating mentoring and hoped to see H315 pass.

Rep. Boe recalled that the original mentoring program had teachers forsaking some rights in lieu of mentoring. She wondered if this bill was a breach of trust regarding those rights.

Chairman Barraclough called the question: the committee approved by voice vote to send H 315 to the floor with a DO PASS recommendation. Representatives Trail, Shirley, Kemp, Boe, Mitchell and Pence asked to have their votes recorded as "nay" votes.

**PRESENTATION:
ROLL OF
PRIVATE
SCHOOLS IN**

Rep. Trail introduced Tom Garfield, Superintendent of Logos School in Moscow, Idaho.

Tom Garfield described Logos as a non-denominational Christian private

IDAHO

school that employed the classical learning method. The school was founded in 1981 and emphasized a three part approach to teaching: grammar, dialectic and rhetoric. In grammar the students in K-6 focused on memorization, chanting and singing to reinforce learning basic facts. In dialectic, students at the junior high level focused on principles of comprehension and logic. As high school students, the rhetoric stage focused on speech and writing in all curricula as well as students taking four years of Latin. He praised their graduates' admissions into Idaho as well as out-of-state colleges and universities. He noted that Logos was now getting second generation students.

Rep. Trail asked about Logos' students success in mock trials? Mr. Garfield said their students had won state six times and regional competition too. This was not just luck; it reflected their education in logic and rhetoric at Logos.

Rep. Boe asked what was their tuition fee and if they offered scholarships? Mr. Garfield replied that they charged between \$3,300 and \$3,700 per year per student. They offered scholarships for hardship families. The school subsidized their costs by receiving royalties and revenue from sales of their curriculum, classroom aids and teaching materials in the classical style, because there were few sources elsewhere.

Rep. Nonini inquired if Logos shared information with the classical Christian school in Post Falls? Mr. Garfield said they worked closely together as they did with other schools in the northwest. They assisted these school and their teachers in certification by the American Classical Christian Schools. Rep. Nonini responded in Latin with a comment.

Rep. Nielsen questioned if their parents felt that they were treated unfairly when they paid taxes plus tuition to the private school? Mr. Garfield agreed, but they had no agenda to reform the political or tax structure in Idaho. He felt their parents would appreciate some relief through vouchers. Logos, however, stood for private schooling, and they did not take any money from the state or federal government.

Rep. Trail asked about pay for performance at a private school? Mr. Garfield replied that they contributed in an object way by investing in ongoing training and certifications for their teachers, plus encouragement of individual actions.

TEACHER OF THE YEAR 2005

Chairman Barraclough reported the passage of H231 in the Senate Education Committee. He stated that teachers were the single most important part of education. Research showed that it was vitally important to consistently have good teachers through the years in school and to have teachers, principals, board members and superintendents working together with parents to promote sound education. With that he turned to **Dr. Jana Jones** to introduced the 2005 Teacher of the Year in Idaho.

Paula Conley, 2005 Teacher of the Year, in turn invited the committee members to attend the Teacher of the Year ceremony that evening. She proclaimed her passion for public education, especially for teacher quality. She believed that a highly qualified teacher had the following merits:

1. Deep content knowledge
2. Certification and understanding of pedagogy of learning
3. Experience
4. Attitude / belief that all students can learn

Ms. Conley explained that the No Child Left Behind Act (NCLB) put pressure on schools and teachers for teachers to possess a major in the subject being taught and passing advanced certifications in their subjects. She acknowledged that some districts had lowered their standards for teachers due to the shortage of available teachers, but said this was a problem. She believed that the standard needed to be raised in the schools as well as in the teacher education colleges.

After a teacher began teaching, Ms. Conley believed that a strong mentoring program helped better qualify those new teachers and helped retain them in the profession. Higher teacher retention would reduce overhead costs for districts due to frequent recruitment and hiring. She described the mentoring program in Coeur d'Alene, and how the master teacher helped the new teachers, as well as other teachers in the building. She noted that over the next ten years, teachers would be needing strong mentoring programs to help them as educators in Idaho.

The committee briefly queried Ms. Conley about her teaching career. **Chairman Barraclough** expressed his gratitude for Ms. Conley's teaching dedication and enthusiasm as well as acknowledging her husband, G. B. Conley, who was in attendance. He also thanked everyone for their participation in the debate and presentations.

Rep. Nonini provided a translation of his earlier remarks in Latin: "God loves a cheerful giver" and "One hand washes the other."

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned at 10:10 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 16, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Pence

**ABSENT/
EXCUSED:** Representatives Bradford, Mitchell

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Rep. Barraclough** called the meeting to order at 8:04 AM. He provided the committee with a copy of a letter from JFAC regarding FY05 Public Schools Funding (attached).

SCR114 **Rep. Trail** introduced SCR114, Civic Learning Summit Urged, and asked Sen. Marley to speak to the committee.

Sen. Marley acknowledged the great strides with IRI and ISAT in enhancing education in Idaho. He felt, however, that civic education was falling through the cracks. At a past congressional conference, many addressed the lack of involvement and interest in civic affairs at local, state and national levels. This legislation urged the Secretary of State (SOS) and Department of Education (SDE) to establish a committee to convene a summit for civic learning at Boise State University (BSU) to determine a strategy to enhance long-term civic engagement and learning in Idaho and to provide a plan for the next legislative session.

Rep. Boe asked if BSU was aware of this resolution? Sen. Marley said that they were. Plus, BSU, SOS and the Department of Commerce and Labor supported this bill. BSU was very willing to host the summit; it was selected because of its proximity to the hub of state government.

Rep. Block inquired who would attend, vote and decide the content of the curriculum? Sen. Marley did not know the details, but said the idea was to bring professionals in education, business and government together to look at a curriculum. He said that the Secretary of State and Department of Commerce and Labor were coordinating this.

Rep. Nielsen expressed concern about a misconception about the words "democratic principles and practices." He understood this country to be a republic in which citizens upheld the law of the land and representatives of the people were elected democratically. Sen. Marley replied that this was not a political party issue. Rep. Nielsen continued saying that it was a matter of applying the correct definition of words that describe our government correctly. Sen. Marley agreed saying when they said democracy they were referring to a republic form of government. Rep.

Nielsen appreciated his understanding and asked that they ensure the use of the proper words as they pursued this summit? Sen. Marley agreed.

Rep. Henderson inquired if there was a plan to include other entities who had a program in civics, such as Boys State and Girls State? Sen. Marley agreed saying that there were many programs outside of the school system which they hoped to include. He asserted that schools had the facilities and people to center this effort, and the effort needed for a systematic approach.

MOTION:

Rep. Boe moved to send SCR114 to the floor with a DO PASS recommendation. The committee approved the motion by unanimous voice vote.

Rep. Henderson commented that he lived in a city where they involved high school students in the city council. The local high school students elected a representative who sat on the city council as a non-voting member.

Rep. Trail spoke about Dr. Mauer's emphasis on government and history at the new Rolling Hills Charter School. He added that the Association of Idaho Cities and the Idaho Association of Counties both supported this resolution.

SCR115

Rep. Trail quoted President Bush's remarks that American students need to become more aware and learn more about world affairs and foreign languages /cultures to help make the United States more competitive. He presented a letter from Roger Madsen, Director of Idaho Commerce and Labor Department (attached). He pointed out the increasing number of Idaho exports abroad and the number of jobs in Idaho related to foreign trade. This resolution encouraged teachers, administrators and policy makers to advance international study and awareness through exchanges and international experiences.

Rep. Rydalch asked if the committee had seen this issue before? Rep. Trail said they did look at it as a print hearing. Along with his co-sponsors, he decided to run it through the Senate first. Rep. Rydalch inquired if this senate resolution was a run around the system? Rep. Trail said it was going through the regular legislative process; it was just started in a different chamber. **Chairman Barraclough** mused that this was a lecture similar to the contractor's bill in the Senate. **Sen. Marley** said this dealt with the same topic, but this differed as it looked at the formation of a system to infuse international studies into education. It involved sister cities and added information in the classrooms.

Sen. Marley exclaimed that this resolution had no ghosts and there was no need to be paranoid. This resolution emphasized international study, foreign student exchanges and sister partners. He noted that people tended to be resistant to the study and understanding of cultures outside their own. He talked about his years of involvement with a foreign exchange student program with Germany. He found that the experience enhanced the American students' appreciation of their native country. He believed this helped people learn more about other nationalities, but it did

not make the participants any less devoted to their native country. He also felt that learning about other regions of the world would enhance American competitiveness in the world marketplace.

Chairman Barraclough picked up on the word “paranoid” and wondered if past and current history regarding the United Nations did not reflect a negative attitude toward the United States.

Rep. Rydalch commented on the lack of emphasis in concrete academic fields like this effort in international information. Sen. Marley acknowledged her point, but he noted that we need to move ahead with a focus on international education. He cited the Hawthorne Study in which any change encouraged productivity. They learned that the mere study with measurement of productivity increased it. He believed the same would be true in international studies and exchanges. He also did not see this as a sponsorship of exotic trips or mushrooming bureaucracy.

Rep. Block commented about seeing a lot of curricula come and go. She asked that these be crafted to agree with what the Idaho public believed. Sen. Marley assured her that this would have Idahoans deciding what to infuse into the curriculum about other cultures and nations.

Rep. Henderson frankly agreed with the justifications for this bill, and concurred with the need to study other languages, especially Mandarin Chinese, Spanish, French and German. He was disappointed that the legislature would need to tell education that this was important. He supported the resolution. Sen. Marley replied that they were trying to help set policy.

Rep. Nielsen asserted the need for education to support the values of this great nation and to enhance the nation’s security. He would agree with this resolution if that was its goals. Sen Marley replied that they were on the same page. He believed this was not an effort towards a world government, but our national safety depended on our understanding the world around us.

Dr. Jana Jones, State Department of Education, supported SCR115 as an important part of the Department’s emphasis on politics, geography and social studies. In cooperation with Sen. Marley and SDE, Rep. Trail hoped the legislature would support more awareness in international issues. She invited the committee to share ideas with the Department regarding this resolution. **Chairman Barraclough** added that the legislature wanted openness in setting curricula.

Rep. Boe inquired how this committee as policy makers could influence how international studies would be offered at all ages in schools? Dr. Jones replied that a lot was already in the schools’ curriculum. She commented on one employee at SDE who came from India where students learned their native tongue, a neighboring states dialect and English. She believed this resolution helped to start the process of learning other languages in school.

Rep. Mathews stated that he felt this resolution could help, if taken in the right spirit, but he had concerns.

Rep. Trail agreed to convey the committee's concerns to the Department of Education.

Rep. Pence added that her junior high students developed a stronger understanding of their own culture when they compared it to others.

MOTION:

Rep. Boe moved to sent SCR115 to the floor with a DO PASS recommendation. The motion was approved by voice vote.

Rep. Smylie introduced an Idaho Digital Learning Academy (IDLA) student, Merritt Poling, and his mother, Margaret, who wished to talk about their experiences with IDLA.

Merritt Poling described his early reservation about taking classes on-line fearing they would be too impersonal and have little interaction. After taking a summer class, he found the courses just the opposite; they were filled with prompt replies from the instructor and discussion boards. He saw IDLA as an excellent opportunity for students to take advanced courses, catch-up on subjects, or rearrange their classes for a more advantageous schedule during the regular school year. He stated that he eagerly waited for advanced placement courses on-line.

Chairman Barraclough asked him to share his career objectives? Mr. Poling admitted that he was a sophomore and was not certain yet. He was interested in science and math, and he was looking at Annapolis, St. John's or Princeton.

Rep. Smylie complemented the Polings for their support of Merritt and Mrs. Poling's volunteer work with the school.

Rep. Kemp complemented Merritt for his articulate speech and concise thinking. **Rep. Nielsen** added that Merritt, and others like him, helped light the way in our world.

**Idaho Digital
Learning
Academy (IDLA)**

Dr. Donna Vakili, Director of the Idaho Digital Learning Academy, commended the legislature for their support of IDLA. She explained that Idaho was leading other states in on-line learning due to H534 which created IDLA in 2002, the J.A. & Kathryn Albertson Foundation grant, and subsequent legislation that has enhanced funding and expanded the scope to include 7-8 graders this year.

Dr. Vakili explained that students turn to IDLA because of scheduling conflicts that limit courses or participation in activities in high school, for recovery credits, or to take courses that were not offered at their schools. Since January 2003, IDLA had served over 2800 course enrollments to students attending 90 of the state's 114 school districts and 4 charter schools. The school had a 70% completion rate of enrolled students and offered 42 highly qualified faculty members. She added that 85% of their teachers also teach in traditional schools. Continuing, she talked about how IDLA met accreditation by the Northwest Association of Accredited Schools and the Idaho Department of Education. It also provided college credit as concurrent enrollment.

Dr. Vakili talked about expanding their course offerings into linguistics

(conversational Chinese, Spanish and German) in addition to other courses of in-school or out-of-school choices, in supplementary service provider, ISAT preparation, pre-expulsion services, and Idaho Performance Assessment Measures.

Chairman Barraclough commented that IDLA addressed No Child Left Behind Act with a new approach in Idaho for which he supported additional funding. He asked Dr. Vakili to ensure that their curriculum made muster.

Rep. Boe asked if out-of-state students could enroll? Dr. Vakili said that they could, but they paid additional \$250 per class per semester fee. Rep. Boe then asked if they offered non-credit courses? Dr. Vakili replied that they offered some college credits and some professional-development courses, but they had not developed their option for adult education yet. Rep. Boe concluded by asking if other states were purchasing the IDLA curricula? Dr. Vakili responded that other states were inquiring.

Margaret Poling, parent of an IDLA student, testified that she felt the on-line courses were often more demanding than those in the classroom. She saw IDLA as a good match for students with unusual life circumstances and individualized needs. She also found IDLA to be filled with interaction through discussion boards and electronic communications with the instructors.

Tiana Campbell and **Laura Ochoa**, Minidoka School District, described their personal reasons for taking classes through IDLA. They spoke about how IDLA made graduating on time a possibility.

Dr. Nick Hallett, Superintendent of Minidoka School District and IDLA, talked about a very small school in his district that could not offer a full curriculum with only six teachers. IDLA allowed students attending that school access a wide spectrum of courses. He noted how he had to “run” to keep up with his son in an IDLA course. He planned to continue working with online learning after he retired.

Rep. Nielsen applauded the young ladies and commented about nearly 25% of the Minidoka District’s students enrolled in IDLA. Dr. Hallet added that at one time, Minidoka had more students in IDLA than any other district in the state.

Clyde Tigner, School Counselor at Jefferson Elementary School in Bonneville County, thanked the committee for their support of IDLA.

Virginia Jones, Bonneville High School Teacher, voiced her appreciation and support of IDLA.

Chairman Barraclough commented on one individual at Bonneville High School who initiated \$500,000 savings in their bus system. He congratulated Bonneville for its economy and dedication to different philosophies in education.

Rep. Cannon asked if a student could graduate from IDLA? Dr. Vakili said students could graduate in cooperation with their local school district,

depending upon the student's circumstances.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:48 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 17, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:08 AM apologizing for his and Representatives Rydalch and Mathews being delayed for a radio broadcast to Idaho Falls. He prefaced the next presentation telling the committee about the former work of the MOST Committee and his interest to see some recommendations regarding pay for performance incorporated into the educational system in Idaho.

**PRESENTATION:
CHAIRMAN'S
UPDATE –
PERFORMANCE
BASED
COMPENSATION
FOR TEACHERS** **Reed DeMordaunt**, Chairman of the 2003 MOST Committee and the ongoing Pay for Performance Committee, referred to a report by the Teaching Commission entitled "Teaching at Risk: A Call to Action." He emphasized the serious need for Idaho to step up to the challenge of finding and supporting the best teachers. He concurred with Mr. Hershberg's "value added" concept and the need to bring Idaho's students into global economic competitiveness through language and cultural proficiency.

Mr. DeMordaunt emphasized that management's number one tool was compensation. He reported two important concepts when establishing a compensatory package for employees: 1) Do not dilute the impact of goal-oriented compensation with a plethora of priorities; and 2) Set a minimum dollar amount. Research showed at least \$2,000 for compensation linked with achievement. He explained that the smaller or flatter an organization, the more it was necessary for employees to have ownership of their work and belief in the strategic objectives of the organization.

Looking at types of compensation, Mr. DeMordaunt named three types: 1) Percentile of pay dependent upon predetermined, measurable outputs—a true pay for performance; 2) Pay for skills as input into the organization; or 3) Competency-based pay where an employee received pay for demonstrated competency over time. He believed that all three had merit in education. In Idaho, the committee was reviewing all three types of compensation and assessing models across the country, such as Denver, Chattanooga, Los Angeles or Cincinnati. The driving forces for changes in compensation were the strategies for teaching around clear professional standards, measurement of student achievement and using pay to recruit and retain good teachers.

In their study, the Pay for Performance Committee learned the following problems existed with pay-for-performance systems:

1. Too many standards diffused the impact, i.e., Cincinnati
2. Created negative competition between teachers (Mr. DeMordaunt suggested setting personal performance goals with a separate "pot of money" so teachers were not competing for same funds.)
3. Lack of communication, i.e. teachers not attend training or not understand programs
4. Focus only on inputs (skills of employees)

Mr. DeMordaunt reported that "Teaching at Risk: A Call to Action" reported four recommendations regarding compensation:

1. Use a competitive base pay
2. Base compensation of pay for performance through value added, according to outputs (measurable achievements) and for hard-to-hire positions
3. Make teacher quality the top priority of college/university teacher education programs
4. Raise the bar of teaching licences and certifications
5. Authorize principals to have control over salaries as well as supervision of teachers

Mr. DeMordaunt explained that value added set a growth criteria for each individual student, as well as for the class or the school as a whole. These criteria collectively measured educational output, student growth and ultimately teacher success. He also talked about Dr. June Rivers' method that followed students over a three-year period and measured their academic growth.

In Idaho, Mr. DeMordaunt outlined two types of compensation:

- Variable piece—non-sustainable pay (earn one year, not the next), i.e., bonus pay; focus on short-term results within one year (In this category, Mr. DeMordaunt included incentives for teachers to engage parents in their child's education.)
- Base piece—focus on inputs and competency factors for all levels in education (teachers through superintendents; The number one factor of effectiveness for a teacher is verbal and cognitive abilities.)

He named professional development and mentoring as additional components in the compensation equation.

In conclusion, he said that Idaho was in a unique situation by having data from ISAT and IRI scores and the advantage of being a small population state, making program implementation easier. He recommended initial exploration of compensation packages in pilots with the legislature's blessing, then taking the system statewide.

Chairman Barraclough inquired if Battelle, with their Columbus connection, would be willing to help fund projects employing Dr. Hershberg's ideas? Mr. DeMordaunt replied that a business coalition helped finance "value added" in Ohio; he encouraged such support in Idaho. Chairman Barraclough added that Mr. Grossenbacher, Idaho National Laboratory (INL), may be a good contact and that they needed to pursue this option. He then asked what funds would be need to implement "value added?" Mr. DeMordaunt answered that it might cost about \$2.00

per student.

Rep. Trail asked for comments of the following: 1) Teachers being integral part of the process of planning and execution; and 2) Sustainable funding needed and how the lack thereof impacted performance pay programs. Mr. DeMordaunt agreed that teachers needed to be part of the planning process as well as all other involved constituents. Second, he replied the pay for performance would not be free. The exact cost was undetermined, but he would like to see a zero-based budget approach. He suggested restructuring how dollars were spent and getting more out of those funds or more over time. He added that the value of teaching was hard to estimate, but he encouraged establishing a value equation for education.

Rep. Trail continued asking if Tennessee's budget deficit was impacted by value added and performance pay? Mr. DeMordaunt responded that he did not believe so; the value added there was very effective, but it needed to be driven down to the teacher level to become more effective.

Acknowledging that principals did not have control over salaries, **Rep. Nielsen** asked if there were other components that would offset this factor? Mr. DeMordaunt voiced the use of school goals and evaluations, which the principal already had, but these had little teeth compared to compensation. He suggested that principals should have control over at least the variable component of compensation.

Rep. Rydalch asked if the pilots were designed to move slowly and reduce resistance to value added? Mr. DeMordaunt agreed adding that they wished to be deliberate in their approach and get comprehensive feedback.

Rep. Henderson commented on the Taft Elementary principal preferring merit pay for the whole school, not individual teachers. He asked if the committee had discussed this concept. Mr. DeMordaunt replied that they had in much detail. He agreed with the organizational goals to work together, but he believed that compensation as a whole allowed strong teachers to cover-up for weaker teachers. He saw rewarding individuals and school-wide goals.

Rep. Pence questioned if they had looked at other states and their projects? Mr. DeMordaunt replied that they looked at "value added" using minimum data requirements. So, they might need to consolidate data across small districts to get an adequate sample size for a fair assessment of data.

CHARTER SCHOOL FUNDING

Chairman Barraclough reminded the committee that this was not a discussion about the merits of charter schools or the debate over whether or not charter schools were taking funds from traditional school.

Rep. Cannon began saying that he was not anti-charter school, but he was concerned about the funding formula. He emphasized the importance of parental involvement in children's education, but he wondered about the impact on traditional schools when more and more engaged parents elected to send their children to charter schools. He acknowledged the

need to fund mentoring and better teacher's salaries, but the reality of the state budget called for careful examination of the budgetary process. This was what he wished to discuss.

After reviewing charter school funding, Rep. Cannon found that in the process of funding charter schools as if they were a district within a district, it created 76.05 additional support units. This represented an added expenditure of \$6,546,080. He offered the committee some FY05 funding comparisons of support units for charter schools using the existing allocation formula and a formula that he was considering. He asked the committee to study these at their leisure. He concluded saying that he believed Idaho would be in trouble without addressing the funding formula if the number of charter schools continued to grow.

Jason Hancock discussed some misconceptions about charter school funding. He pointed out that charter school did not receive local funds from property taxes. If kids left the traditional school and went to a charter school, the funds followed the child. That district would have a lower average daily attendance (ADA) and receive less support unit dollars. However, the property value in that district would not change, so there would be more property value per support unit. In the end, the state would be sending less money to the district but the property value per support unit would be higher; a wash overall.

The more significant impact on school funding for charter schools was the divisors used to calculate the support units. Charter schools used the same formula that favored smaller districts, whereas larger districts formula takes into account economy of scale.

Chairman Barraclough summarized saying charter schools did not use property tax / county money nor dollars for transportation. Also, the difference in school size impacted the funding formula and larger districts had other sources of money. Mr. Hancock agreed adding that local funds, transportation dollars and basic operational funding all mixed together for school funding.

Rep. Shirley referred to Rep. Mathew's bill in which \$250,000 was introduced as the cost for a charter school. He asked if that was for the initial costs or ongoing? Mr. Hancock said that figure was an ongoing, estimated optimum costs per child for an average charter school.

Rep. Rydalch thought the same budget shift occurred when a child moved out of a district. Mr. Hancock added that the difference depended upon how the child's move impacted the divisor at a given district. Presently, the general trend was for students to move from smaller districts into the larger, urban districts.

Rep. Cannon then introduced a draft legislation explaining that his vision would have student's taking with them the divisors that they left behind to address the inequity of charter schools building facilities. He proposed minimal square footage per child at three grade levels multiplied by a set dollar value per square foot. As for transportation, he proposed an allocated amount depending upon the number of students enrolled. He noted that current law permitted busing by both the charter school and

traditional school resulting in doubled costs.

Rep. Bedke stated that there was an inequity among school districts.

Rep. Rydalch said that the formula was working and asked for an explanation of misconceptions. Rep. Bedke asserted that was why they established the stabilization fund. So far, it had worked well, but not enough had been set aside. So, JFAC was forced to cut educational budget requests. He explained the return of endowment fund dollars freeing dedicated moneys and making a 1% teacher pay increase possible pending adequate revenue. He said that they could torture the numbers to do almost anything, but the question was what the legislature wanted to do and still be realistic with appropriations.

Chairman Barraclough reminded the committee about their letter from JFAC explaining FY06 education budgeting. Rep. Bedke added that the water issue was still a wildcard in the budget.

Rep. Boe wondered if it was time to rewrite the educational funding formula since it predated charter and virtual schools? Rep. Bedke explained that the original educational funding formula evolved from a law suit by a school district. He felt that it did not address statewide schools or charter schools, but it could be manipulated to do that. He added that the formula did not drive the available revenue, which was the core problem.

Rep. Bedke introduced ideas contained in a bill printed by the House Appropriations Committee, H349. He commented that he was not comfortable addressing that complex issue (partial subsidization of the bond levy equalization) on the floor and requested time to brief this committee on that bill. **Chairman Barraclough** agreed to have an informational hearing.

Rep. Cannon asked Rod McKnight, State Department of Education, to talk about transportation. **Rod McKnight** explained that there were a variety of ways for charter schools to provide transportation. He cautioned the committee that state law allowed for transportation when it was not provided. Currently, he did not see any problem with charter school transportation, but dual services may become a question and some charter schools could face high transportation costs per child. For virtual school, however, they wondered how to get the service into the homes of students.

Chairman Barraclough inquired if Tom Farley, Jana Jones, Cliff Green or Mike Friend had any comments; none spoke.

Rep. Nielsen, trying to understand charter school transportation costs, asked if charter school must provide 15% of the costs? Mr. McKnight said that was so. He added that code did not prohibit charter schools from providing their own transportation or cooperating together for transportation needs.

Chairman Barraclough commended Rep. Bedke for his work on education budgeting in JFAC. He noted that it was difficult to balance dollars through medicaid, higher education, corrections and education.

Rep. Bedke noted the inequities pointed out in Rep. Cannon's documents, but he said the real question was if there was enough to be gained by redoing the funding formula. He cautioned them all that writing a new budget formula to address needs of virtual, charter and traditional school was a huge task, and he hope they would not be cavalier about asking for a new formula.

Rep. Rydalch asked if charter schools paid their own transportation costs and did their own transportation, would they be asking the state to reimbursement them? Mr. McKnight said that none had done so to date, but they could by law. Rep. Rydalch next asked if they had to meet the 15%? Mr. McKnight agreed. Rep. Rydalch then inquired if charter school provided their own transportation, did that impact potential transportation dollars? Mr. McKnight replied that the money was not sitting around somewhere unspent; the money went back to the general fund. Rep. Rydalch concluded asking if charter schools provided their own transportation, could they get reimbursed? Mr. McKnight said that was an option.

Chairman Barraclough reminded the committee that there were many ways to address funding, i.e., Logos charged tuition, Liberty paid greater teacher salaries than other schools. He believed that education incorporated must look at how they were spending money on administration and other costs; superintendents in districts must manage the money available.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned the meeting at 10:15 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 18, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Bradford, Block, Cannon, Nielsen, Shirley, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representatives Trail, Wills

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 9:03 AM. He asked the committee to review the minutes presented for March 15 and 16, 2005.

MOTION: **Rep. Kemp** moved to approve the minutes for March 15 as written. The motion carried by unanimous voice vote.

Rep. Mathews requested modification of the March 16 minutes deleting the superfluous comments regarding the United Nations.

Chairman Barraclough ruled to have the sections amended and to return the minutes to the committee later for approval. He then updated the committee on the progress of bills in the Senate Education Committee: S1123 was pulled and replaced by S1172, which was on the second reading calendar in the Senate; S1170 was at the 14th order in the Senate; SCR111 lost by a vote of 15 to 19; SJR102 passed 5-3 to the floor; S1173 on school district sick leave would be heard Monday in the Senate Education Committee.

**INFORMATIONAL
HEARING: H349** **Rep. Bell** introduced H349, a bill recommended by the House Appropriations Committee, and asked Rep. Bedke to present the bill.

Rep. Bedke detailed the history of H349 in which a few years ago northern Idaho schools sued the state for financial support to rebuild or build school facilities under the access to free education clause. He said that the overwhelming sentiment in the legislature acknowledged that most districts taxed themselves to refurbish or build schools, yet these districts believed the state should help pay for these structures. Thereafter, the Legislature passed a bill to help buy down their bonds. With this, several school districts dropped off the law suit list, but a few remained. Then the Legislature passed a bill that adjusted the amount of subsidy for the interest on bond levies according to the school districts ability to pay as ranked by support units, unemployment and per capital income. This provided that rich school districts would get zero subsidy up to the poorest getting 100% subsidy. As a compromise to pass S1474, the Legislature adopted a measure enabling every school district and bond

levy passed to have at least 10% subsidy.

Rep. Bedke then presented a handout—Fiscal Impact of Bond Levy Equalization SB1474a, attached—that showed the successful bonds levies from the last five years, projections through FY2023 for the annual cost of such subsidies, and a colored chart listing school districts by an index factor categorizing the districts in affected, partially affected and unaffected categories. He explained the assumption used for the levy calculations, the drop in revenues in FY04, and the use of lottery money to cover these expenditures.

Rep. Bedke then described the statutory limits and the inequity established by this funding mode. He stated that increasing obligation to cover these subsidies forced JFAC to use lottery dollars in FY05 and again in FY06 to fund these subsidies. He noted that disbursements to districts, who had not yet passed bonds, would be limited using lottery funds and that the subsidy obligations were greatly exceeding their estimates and ability to fund.

Rep. Kemp inquired about the percentage of votes required to pass a bond? Rep. Bedke replied that a 2/3rds super majority was required.

Rep. Cannon queried if this committee was preparing to vote for H349 on the floor or in this committee? Chairman Barraclough explained that this was only an informational hearing since the House Appropriations Committee had passed this bill to the second reading on the floor.

Rep. Bedke added that this was a very complex issue. He felt it appropriate for the education committee to discuss this before the floor debate or to provide ideas. This issue needed close consideration because it was a strategic policy decision.

Rep. Mitchell questioned the genesis of this bill? Rep. Bedke explained that it was a House Appropriations bill that had a print hearing without any testimony.

Rep. Shirley inquired about the impact of this on the 37 school districts and how some districts would make up the shortfall if they had a bond.

Rep. Chadderdon wondered if they would be opening themselves up to more litigation? Rep. Bedke replied that anyone who passed a bond under the old rules would be unaffected. He prompted the committee to consider if giving at least 10% of each and every bond passed was the best policy for Idaho.

Rep. Kemp commented that her school districts opposed this bill because it would negatively impact them with future bond levies. She doubted the wisdom of cutting this budget item and would vote no on this bill.

Continued with his presentation, **Rep. Bedke** added that over the next 20 years, this bond obligation would grow to over \$231M. He said that money must come from somewhere, but the lottery funds would be tapped out long before then. He was concerned about the \$25M impact on the districts in the salmon-colored category. With passage of H349, the obligation would still be up to \$2.4M.

Jason Hancock next walked the committee through a few examples using the value index calculated to reflect a district's ability to repay a bond. It included the local property value per support unit and economic factors, such as local per capital income and unemployment rate. He explained how the indexes were compared to the statewide average of 1.0. Calculations for each school district showed wealthy districts with higher index numbers and poorer with indexes below 1.0. He explained the "bookends" in the current law that set the minimum subsidy at 10% and the maximum at 100%. Finally, he demonstrated how H349 would impact four school districts in Idaho, i.e., Blaine County, Mackay, Pocatello and Mullan.

Rep. Boe inquired if bonds passed before 2004 would be affected? Mr. Hancock said this would only impact bonds passed after September 15, 2002. Rep. Bedke added that making this retroactive would make amounts due and payable during this fiscal year and added even more dollars to the State's obligation.

Chairman Barraclough recalled that the Legislature thought they were doing the right thing years past to prevent law suits and help poorer districts. Rep. Bedke added that the original bill did not have the 10% bookend; that was required to get the bill passed.

Rep. Nielsen asked about the \$2.3M for FY05? Rep. Bedke said that was the anticipated glide path for subsidy, but it was much larger. He recalled the floor debates about districts that did not meet the deadline.

Rep. Shirley asked when H349 would become effective? Rep. Bedke reiterated that the bill included bonds passed on or after September 15, 2002 and prior to July 1, 2005. He added that he had never seen a passage of expenses drive a corresponding rise in revenue. To keep up with the costs, some districts' lottery money would have to be used to help pay this off. He suggested that this budget item would be best placed in the permanent building fund, not the education budget where it would eventually consume any future increases in the education budget. He said that the 10% was a luxury that the state could not afford.

Rep. Nielsen asked if there were any suggestions from the education system regarding this bill? Rep. Bedke said that the bill's purpose was not directed toward any particular district. It was intended to solve the problem of districts that were not addressing their facility needs because they could not pass a bond. In that light, the law had been successful. The problem lay in every dollar subsidizing a district bond was a dollar from somewhere else in the general fund budget.

Rep. Mitchell inquired if there were any suggestions to make this gentler for districts? Rep. Bedke said this was a compromise.

Rep. Cannon reminded the committee that the property value in each district was unique and he pleaded for some benefits for the poorer districts.

Rep. Shirley wanted to know what local educational associations, school officials and state associations thought about H349? Rep. Bedke offered

to allow this bill to come to the House Education Committee for a traditional hearing. He asserted that they were not trying to hide anything; this was a state obligation that needed the legislature to resolve how to continue paying for it. He noted that JFAC was responsible to fund policy decisions: this committee to set those policies. He encouraged the two to work together.

Chairman Barraclough noted the limited time available and asked about the committee's will to have a hearing on Monday. Rep. Bedke added that he would probably be able to count the votes based on the "salmon colored" districts. He said that parochialism would cost the general fund; this was the time to make good state policy and balance the budget.

Rep. Denney added that this subsidy was the first time the state participated in helping with a local issue. The goal was to help the poorer districts get bond levies passed; it accomplished that goal. The 10% developed out of resistance by the Senate to pass the original bill. He wondered if it didn't help rich districts to pass bonds as well.

After a brief discussion about conducting a public hearing, Rep. Denney assured that the bill could be referred to this committee. **Chairman Barraclough** asked those in attendance if they could return on Monday, March 21, 2005 to testify. All concurred; he set the hearing from Monday morning starting at 8:00 AM.

Rep. Nielsen express concern about SCR114 and SCR115 regarding the language in the bills regarding "democracy" and sending a directive to the education community that misrepresented our form of government. He wished to correct the language. **Chairman Barraclough** asked the committee to decide if they should do nothing, request holding the bills at the desk or request returning the bills to this committee.

MOTION: **Rep. Nielsen** moved to request returning SCR114 and SCR115 to the House Education committee for further consideration.

SUBSTITUTE MOTION: **Rep. Boe** moved to do nothing. The motioned failed by voice vote.

The committee approved the original motion to request returning SCR114 and SCR115 to the House Education Committee for further consideration.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned at 10:25 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 21, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:05 AM. He commented about e-mail starting to flow regarding H349, and he turned to Rep. Bedke to continue the discussion.

H349 **Rep. Bedke** commented that he liked having the informational hearing and following with a public hearing on H349. He asked that testimony be limited to the following:

1. Context of the subsidy that school districts received versus the dollars in the education budget to be spent on salaries, mentoring, remediation and other line items that the committee felt important.
2. Lottery moneys to huge school districts versus lottery moneys distributed to every school district.

He pointed out that the State was not able to live up to the actual demand for funding. JFAC would have to continue using lottery funds to pay these expenses. He saw this as eventually consuming general fund dollars to subsidize what would have been each school district's responsibility. Even though this was initially designed to help district pass bond levies; some school districts had chosen to continue litigation against the state for state funded facilities. No matter where this policy was housed, it would have a large impact. In allocating scarce resources, the Legislature must be mindful of dollars that might have been spent in classrooms.

Rep. Block inquired how they arrived at the dividing line between the three colored categories on the chart? Rep. Bedke said they were a continuum of index scores; probably the green sections would always be eligible for subsidy. This bill attempted to equalize the policy at its original level without the 10% bookend.

Rep. Chadderdon asked if school districts had heard about this bill? She believed her districts would like more time to consider this policy. Rep. Bedke acknowledged that her districts were in the salmon colored category. He said that in one year, more money would be spent from the lottery money making less available for her district. Should that district pass a bond in the meantime, they would get some subsidy. He noted that the subsidy helped districts to pass bonds, sometimes bonds of large

value since the State was participating in the funding. He compared this to a consumer looking to purchase a new car and getting help financing it. The consumer tended to increase the value of the purchase.

Chairman Barraclough explained that this hearing provided time for public comment in addition to the informational hearing last week. Since the Speaker had sent H349 to this committee for public hearing, the committee would be voting on the bill.

Rep. Bradford commented on two districts with high property values, but low income, i.e., Swan Valley and Teton. He asked why they were competing with Blaine County? Rep. Bedke noted his concern and said Teton and Swan Valley must decide if they want dollars through the bond passage or directly through the lottery distribution. He added that these districts would get lottery dollars if funds were not spent on the bond subsidies to other districts.

Chairman Barraclough asked if this bill was not passed, what would be the fiscal impact? Rep. Bedke replied that as more bond levies were subsidized, it would become more difficult to correct the education budget in the future.

Rep. Bradford inquired if they waited one year, would that be too grievous on the budget? Rep. Bedke acknowledged his point and reminded the committee that the problem would not go away. He said by then the law suit may be settled or they might adjust the bookends to 0-50% subsidy in the future. He said they needed to rethink how the general fund could stand this type of policy and be prepared to fund it, if that was their will.

Rep. Trail expressed gratitude for the policy change three years ago that incorporated the property tax, unemployment and per capita ratio into the subsidy formula. Agreeing with Rep. Bradford, he too would like time to discuss this policy shift with his districts and perhaps include some more district-specific economic factors, such as the free and reduced lunch indicator. Rep. Bedke noted a bill this session that would have included the free and reduced lunch indicator, but he had argued against it. He added that they must look at the distribution of lottery dollars of \$13-14M and districts must ask if their percentage of ADA was more valuable to them than the 10% subsidy of a future bond. He commented on the debate revolving around the districts in the salmon category of the index chart.

Rep. Nielsen noted that Garden Valley had continued to fail bond levies even with the subsidy. He wondered if they shouldn't change the super majority required to pass a bond levy. Chairman Barraclough said that was an issue for another time and place. Rep. Bedke said that was an excellent argument to discard the whole subsidy policy as it stripped dollars from other areas of the education budget. Rep. Nielsen then asked if the double lines around Notus on the Successful Bond Levies Chart indicated a cutoff line to receive benefits? Rep. Bedke replied that those were assumptions made for S1454 a few years ago; it reflected bonds already passed five years ago. The other chart was a prediction of future subsidy amounts based on historical data.

Lane Hemming, Assistant Superintendent of Madison Schools, refuted the idea that districts passed larger bonds because they were being subsidized. He talked about attempts to pass bonds and about getting only 56% of the vote, not enough to pass the bond levy. He said that their majority traditionally voted negatively on bond issues, yet they had just under 50% free and reduced lunches in the district. He wished to retain the 10% and have some state subsidy since they were growing. He acknowledged that his patrons were "wallet retentive." He believed that the bond subsidy would be more valuable to them than the ADA lottery distribution.

Rep. Rydalch asked if it bothered Mr. Hemming to see \$18M for bond subsidization? Mr. Hemming said that was what they wanted. Rep. Rydalch then asked if the huge cost bothered him? Mr. Hemming said he believed many of these points would take care of themselves in the future as the State grew and prospered.

John Eikum, Executive Director of the Idaho Rural Schools Association, commented that 21 school districts in the top one-third of the districts were rural. He represented only 12 of these, and they would rather have the lottery distribution since several no longer needed buildings. He noted the changing rules on bond subsidization and the difficulty for rural districts to pass bond levies. He expressed concern about the urgency to pass this bill and asked for time to discuss it with his constituents. He felt it was a question of fairness.

Rep. Mitchell asked how he learned about H349? Mr. Eikum replied that Dr. Friend informed him.

Rep. Boe asked once they started using part of the lottery money for the bond levy equalization, how did that impact the lottery distribution to his schools? Mr. Eikum replied that each year, it took a little bit more from the lottery dollars. He was concerned that it would eventually all go toward the bond equalization formula. Chairman Barraclough added that generally they had \$20M in lottery dollars: one-half went to schools and one-half to the permanent building fund. This subsidy projection was almost double this amount, therefore they were heading toward a fiscal train wreck. He asked if it were better for districts that did not pass a bond to have the dollars from the lottery? Mr. Eikum said most districts would agree. However, his districts were small, and the bond levy subsidy was more important to them because consolidation was impossible in their vicinity.

Janet Orndorf, representative for Boise and Meridian Districts, said their joint legislative committee had discussed this bill. She too was concerned with the direction this policy was taking them. It did not account for future management of the policy. Secondly, she said both Meridian and Boise Districts would like further study on this issue to explore other options that may be better solutions. As for the questions of fairness to districts in the green category, those district would be subsidizing other areas of the state. Also, H349 was a short-term solution to a long-term problem. They requested holding this bill and studying the issue further.

Rep. Boe asked if those district had any solutions? Ms. Orndorf replied that they just learned about H349, so they had no ideas at that time.

Rep. Cannon accounted for his districts in the green colored chart because of their low property values per support unit. As such, their homeowners paid more per assessed tax dollar than other districts. He also questioned why pass bills that favored big business, which in turn helped pay the property tax of larger districts. He too questioned the fairness of this bill. Ms. Orndorf commented on the bill that would cap the property taxes to be collected from large businesses. So, bit by bit their property tax values would be eroded.

Dr. Mike Friend, Executive Director of the Idaho Association of School Administrators, recalled the discussion for the 10% bookends on the bond levy subsidy policy. He acknowledged that this was a public policy that had the potential to become very large fiscal obligation, but the economy appeared strong. Later, it dropped and the State had to utilize lottery dollars for this subsidy. From the beginning, he questioned not placing this item in the permanent building fund budget. He also pointed out that perhaps the formula needed to be adjusted since it impacted 104,000 children who attended schools in the salmon-colored districts. He did not believe that districts built more because they received a subsidy. He asked for more time to consider options.

Rep. Boe asked if the superintendents had any ideas to solve this funding problem? Dr. Friend said that he learned about his bill on the Internet and circulated it. They did not have time to discuss options. Rep. Boe continued saying this policy had been in place for a few years and asked if anyone from school administrations had some ideas? Dr. Friend said some ideas were considered in the task force years ago, but all had price tags. The Legislature must decide which price tag is the best. He offered to help explore this further.

Rep. Rydalch stated that this was not a new issue. She was disheartened that folks complained that they just heard about his. She asked if it was possible for him to resurrect some of those ideas and bring them to the legislature? Dr. Friend said that he would do that.

Rep. Mitchell inquired if Dr. Friend had been involved in such funding questions in the past? Dr. Friend said that they did participate, but he was surprised by the big picture for the state budget. Rep. Mitchell continued asking if the districts were involved in discussion for change in the past? Dr. Friend said that they were.

Rep. Mathews asked for an exploration of Dr. Friend's understanding of the fiscal impact by making decision now versus deciding next year? Dr. Friend said that \$4.5M was lottery distribution; he knew of only one district contemplating a bond election between now and the July 1, 2005 deadline. He could not give a dollar amount for the impact on districts or the lottery fund, but guessed that it would be substantial for districts in his area.

Dr. Cliff Green, Executive Director of the Idaho School Boards Association (ISBA), thanked Rep. Bell and Rep. Bedke for their support of schools and remediation of the budget. He and the ISBA acknowledged the finite revenue in Idaho and were concerned about the price tag of this policy in 2023. After talking with the ISBA officers last weekend, the

officers did not believe this bill was the right solution to the funding policy, for it created winners and losers among districts. They suggested taking some time to meet with legislators and budget analysts to tweak this policy a bit. Several officers felt they had inadequate information about H349 to make any decision.

Rep. Nielsen understood that all lottery money went out to schools in one way or another. He asked if this bill just redistributed those dollars? Dr. Green agreed. Rep. Nielsen then asked if there was any corpus being created in the lottery funds? Dr. Green said there was no retained funds.

Rep. Bell said they felt a responsibility to bring this issue to light before the budget had a train wreck. She spoke to the committee taking full responsibility for the oversight of H349 going directly to the second reading calendar, such as most JFAC bills normally were processed. She promised to watch that procedure better in the future. She commented that she had not heard about a funding source for this issue. She thanked the committee for requesting this public hearing for H349.

Chairman Barraclough commented that most of the problem was in the 10% added by the Senate in this policy. He asked if she saw an alternative plan? Rep. Bell said that this was a very deep policy issue. Her responsibility was to correct the funding issue that was leading to the huge budget problem; this committee must adjust the policy pushing that issue.

Rep. Bayer stated that the current statewide program intended for the "green category" to receive assistance. He said that this was not a debate about all facets of the bond levy equalization, but a look at the 10% bookend. This bill provided for a proportional mathematical adjustment, index values, aligned with each districts annual ability to fund a bond levy. The urgency for this bill lies in the growing liability and need to limit future obligations of the State, yet continue to assist the poorer school districts.

Rep. Cannon proposed amending the bill to provide a lower percentile of subsidy or changing the subsidy to 0-75%, so all districts feel the pain of a bond levy.

Rep. Bedke concurred that the committee had the prerogative to request an amendment. He appreciated the Appropriations Committee that recognized this problem and the State's dwindling ability to fund it as the costs escalate. He asked that the subsidy be simplified before shoehorning it into another budget category, such as the permanent building fund. He wished to help the poorer school districts, but questioned if this was good state policy to exact a toll on all to benefit a few. He believed school districts would benefit more with a share of the lottery funds. He also hoped to limit the bond levy subsidy and remove this subsidy from the public school budget.

Rep. Rydalch asked if the legislature was ready to return bond costs to the local taxpayer, to shift this funding into the permanent building fund and use lottery dollars in that budget, or lower the percentage of subsidy. In any case, she believed the taxpayers of Idaho footed the bill. The questions remained as to what was the best method to pay for school

buildings overall: not to worry about individual districts.

Rep. Bedke added that the 10% had shifted the policy outside of their original intent. It was eating up the balance of the lottery funding and would consume funds from some other source next. This bill was a pre-emptive strike to contain this growing budget item.

Rep. Kemp stated that this was a policy shift. She would prefer to see other alternatives and look at this next year.

Rep. Nielsen inquired if those school districts currently receiving money from the bond levy in the “green category” would not have changes in funding? Rep. Bedke agreed. Rep. Nielsen summarized that H349 would have some gain with funds for maintenance and repairs? Rep. Bedke agreed, but recalled that the goal of H349 was to get this subsidy out of the education budget where it was growing faster than that budget could afford. He commented if all lottery dollars went into the education budget, then there might be dollars for each district.

Rep. Shirley acknowledged the goal to get the funding glut out of the public school budget. He asked if that could be accomplished without this bill? Rep. Bedke explained that the 10% forced subsidy to all schools regardless of their ability to pay. He wished to develop a clean funding policy before sending it to another state budget.

Rep. Boe commended him for seeking an equitable distribution, but said that elected representatives had to be cognizant of helping their constituents. She noted that some districts passed bonds before this subsidy existed; they were not being treated fairly. She wished to hold this bill and seek alternatives for next session.

MOTION:

Rep. Shirley moved to hold H349 in committee and requested a study during the summer involving state associations and Rep. Bedke. The study would bring back recommendations next session that might be more acceptable and equitable to all concerned.

**SUBSTITUTE
MOTION:**

Rep. Nielsen moved to hold H349 in committee for at least two days. This would allow more time for representatives to check with their constituents.

**AMENDED
SUBSTITUTE
MOTION:**

Rep. Cannon moved to send H349 to the floor with a DO PASS recommendation. The committee called for roll call votes.

Amended substitute motion to send H349 to the floor with a DO PASS recommendation failed with 3 “ayes.” 14 “nays” and 1 excused/absent. The votes were recorded as cited below:

Ayes = Chairman Barraclough, Representatives Cannon, Shepherd

Nays = Representatives Rydalch, Trail, Bradford, Block, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Boe, Mitchell, Pence

Absent/excused = Representative Nonini

Substitute motion to hold H349 in committee for at least two days failed

with 6 “ayes,” 11 “nays” and 1 absent/excused. The votes were recorded as cited below:

Ayes = Chairman Barraclough, Representatives Rydalch, Cannon, Nielsen, Mathews, Shepherd

Nays = Representatives Trail, Bradford, Block, Shirley, Wills, Chadderdon, Henderson, Kemp, Boe, Mitchell, Pence

Absent/excused = Representative Nonini

Original motion to hold H349 in committee and request a study with a report next session passed by a voice vote.

In conclusion, **Rep. Bedke** said that they would continue to use lottery funds, and he would monitor the budget. He felt this vote somewhat tied their hands in budget setting. He asked each representative to explain to their constituents how this bond levy subsidy worked and to bring back some ideas to find a funding source for this policy.

Rep. Chadderdon added that she felt the hand tying occurred years ago. She appreciated the opportunity to discuss this issue with people in her community.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned at 9:50 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 22, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Pence

**ABSENT/
EXCUSED:** Representative Mitchell

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:03 AM. He asked the committee to review the minutes presented for March 16, 17, and 18.

Rep. Mathews questioned if the amendments in the March 16 minutes were approved. Chairman Barraclough ruled to hold those minutes for further review.

MOTION: **Rep. Wills** moved to approve the minutes for March 17 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Bradford** moved to approve the minutes for March 18 as written. The motion carried by unanimous voice vote.

SCR114 **Chairman Barraclough** summarized the brief history of this resolution, which brought this and its companion bill back to the committee for further consideration.

Rep. Trail recalled the purpose of SCR114 was to urge the Secretary of State to convene a summit for civic learning, outline the composition of the committee and require a report to the Secretary of State and Superintendent of Public Instruction no later than December 1, 2005. He handed out a white sheet explaining the meaning of a "representative democracy" (attached). He felt that the word "democracy" was synonymous with "republic."

Rep. Smylie expressed concern that our society was not adequately involved in the affairs of our nation and state, because he observed very low voter turnout. He believed involving youth in governmental affairs, such as paging in the legislature and civic community activities, was critical to motivate future participation in the management of our government. He talked about Project Citizen, which helped middle school children learn how our government worked and to explore community affairs. He described historical forms of governments, i.e., democracy (Greeks) and republic (Roman). He believed that we needed more teachers to incorporate civic lessons in their lesson plans to ensure the

strength of our country.

Rep. Chadderdon asked who at the State Department of Education would be leading this effort? Rep. Smylie answered that would be Dr. Dan Prinzing.

Rep. Rydalch did not believe that legislation was necessary for teachers to include civics in their lessons. Rep. Smylie agreed, however, this helped bring practical lesson plans and ideas to teachers. Rep. Rydalch asserted that SDE needed to facilitate curricula, but as a committee, perhaps they needed to review curricula as a whole to better understand what was being done in the classrooms. **Chairman Barraclough** agreed. **Dr. Jana Jones**, SDE, explained that Dr. Prinzing was responsible for international education, but he was abroad at that time. Rep. Rydalch questioned if this resolution had been before this committee before? Chairman Barraclough replied that Dr. Jones could not answer that question.

Sen. Marley explained that SCR114 was in RS form before another similar RS was presented to this committee. He asserted that as an elected official, civic education was important to him, and he saw this resolution as a means to expedite such learning.

Chairman Barraclough inquired about the future committee at Boise State University. Sen. Marley understood it would include teachers from around the state, elected officials and some university personnel.

Rep. Henderson applauded the tone of SCR114, however, he questioned the use of the words “representative democracy.” He believed that we had a “representative republic” in which the nation was ruled by laws.

Chairman Barraclough questioned if a concurrent resolution could be amended or if it had to be accepted or rejected as it was presented? Sen. Marley said that he didn’t believe an amendment was necessary since the constitution referred to “we the people” and the adherence to laws. Hence, “representative democracy” was appropriate.

Rep. Nielsen agreed that civic education was needed in Idaho schools. He wondered about the basis by which this resolution attended to that education. He pointed out the distinctions between a democracy and a republic and the importance of passing on the correct understanding. He spoke of U.S. laws dedicated to individual rights as tempered by legislation crafted by representatives elected by its citizens. He then asked the chairman for permission to discuss SCR115; Chairman Barraclough granted permission. Rep. Nielsen attested that the sovereignty of the United States and emphasis on its history, governance and affairs should overshadow those of the international perspective. He felt this resolution failed to support this principle. Therefore, he encouraged the committee to hold both SCR114 and SCR115 in committee with the promise that he would return next session with a resolution to guide this effort and maintain the emphasis on American standards and way of life.

Rep. Trail pointed out the benefits of attending a bipartisan, civic conference in Washington D.C. last year. He said that to date, 43 states had passed similar resolutions to upgrade their civic education. He stated that the lack of civic understanding was measured by low voter turnout. Therefore, he encouraged the committee to support SCR114.

Rep. Rydalch inquired if the passage of a similar resolution in other states was part of a national advocacy group? Rep. Trail stated that President Bush had supported this bipartisan conference last year. Sen. Marley added that a number of groups showed interest, including the National Conference of State Legislators (NCSL), but he did not know of any single group leading this effort. Rep. Rydalch then asked who was tracking the number of states doing this? Sen. Marley replied that NCSL was.

Rep. Chadderdon commented that she was concerned about telling the State Department of Education how to do their job. Rep. Trail indicated that SDE had participated in the formulation of this resolution; this was an encourage to focus more on civic education.

Rep. Kemp inquired if procedurally a concurrent resolution could be amended or simply approved/rejected? Rep. Nielsen reported that he has questioned the Chief Clerk about that very question. He learned that you could not change or amend a resolution; only approve or decline it.

MOTION:

Rep. Boe moved to send SCR114 to the floor with a DO PASS recommendation.

**SUBSTITUTE
MOTION:**

Rep. Nielsen moved to hold SCR114 in committee.

Rep. Cannon spoke in favor of the original motion saying this country needed to coexist with the rest of the world. Although this resolution was not perfect, the spirit was sound.

Rep. Rydalch called for a roll call vote.

The substitute motion failed by a roll call vote of 4 “ayes,” 10 “nays” and 4 absent/excused. The vote was recorded as follows:

Ayes = Chairman Barraclough, Representatives Nielsen, Kemp, Shepherd

Nays = Representatives Rydalch, Trail, Bradford, Cannon, Chadderdon, Henderson, Mathews, Nonini, Boe, Pence

Absent/Excused = Representatives Block, Shirley, Wills, Mitchell

The original motion failed by a hand vote of 6 “ayes,” 8 “nays” and 4 absent/excused.

MOTION:

Rep. Boe moved to send SCR114 to the floor with no recommendation. The motion carried by hand vote of 10 “ayes,” 4 “nays” and 4 absent/excused.

SCR115

Rep. Trail restated the essence of SCR115 was to urge the State Department of Education, teachers, students and policy makers to further the study and to promote awareness of international affairs.

Sen. Marley pointed out that it was crucial to understand other nations and cultures to enhance our country's economy, safety and government. This resolution supported our nation and its form of government while encouraging an understanding of what was happening in other parts of the world. It did not link with any specific international organization, but it helps our youth to better deal with international activities.

Chairman Barraclough requested the Dr. Jones convey to SDE that some committee members were offended by the international perspective of some and were concerned about international intrusion into the affairs of the United States or Idaho.

Rep. Rydalch too was sensitive about what would be inserted into school curricula.

MOTION:

Rep. Rydalch moved to hold SCR115 in committee.

Rep. Nielsen added that the emphasis in schools should be on understanding this country's government and history first and foremost, then study other countries. He was discouraged by the international emphasis of this resolution.

Rep. Boe replied that she did not sense fear associated with learning about how others looked at world problems. This resolution was only asking to learn how other cultures and nations viewed things globally. She felt this was an issue of semantics and differing definitions. She also felt that SCR114 encouraged learning about our own government, while SCR115 encouraged learning about others.

**SUBSTITUTE
MOTION:**

Rep. Boe made a substitute motion to send SCR115 to the floor with a DO PASS recommendation. A roll call vote was requested.

The substitute motion to send SCR115 to the floor with a DO PASS recommendation failed with 6 "ayes," 10 "nays" and 2 absent/excused. The vote was recorded as follows:

Ayes = Representatives Trail, Cannon, Shirley, Kemp, Boe, Pence

Nays = Chairman Barraclough, Representatives Rydalch, Bradford, Block, Nielsen, Chadderdon, Henderson, Mathews, Nonini, Shepherd

Absent/Excused = Representatives Wills, Mitchell

The original motion to hold SCR115 in committee carried by voice vote. The following requested their "nay" votes to be recorded: Representatives Trail; Cannon; Shirley; Kemp; Boe; Pence.

DISCUSSION:**Commercial Driver Training Rule Follow-up**

Rep. Rydalch told the committee that Rep. Moyle was unable to attend.

She asked Mr. Ryals to address his questions about the rules to the committee.

Mike Ryals, a private drivers' education company owner, presented a list of questions (attached) to help commercial driver education instructors to understand and comply with the Commercial Driver Education Manual as published by the State Department of Education. He listed twelve specific questions related to implementation dates, applicable rules, days of instruction, fees, forms, and meanings of various words and phrases in the manual. He expressed frustration about not receiving consistent answers to some questions, difficulty communicating with authorities and soliciting assistance from William VonTagen, Attorney Generals' Office.

Rep. Kemp inquired if the commercial driving schools had resolved their concerns in a meeting with Senators, departmental personnel and State Board of Education (OSBE) representatives? **Karen Echeverria**, OSBE, affirmed that earlier in the session, Senators Andreason and Gannon had meet with commercial driver school representatives, OSBE and others. They had agreed on the conditions set forth in SCR112. Rep. Kemp continued asking if these questions fell under the purview of this committee or others who were responsible for the implementation of SCR112, such as SDE?

Rep. Rydalch suggested listening to the rest of the testimony.

Mr. Ryals continued listing items of question. **Chairman Barraclough** reminded him that this committee could not address the details of his questions and asked him to summarize so they might send the inquiry to someone who could respond. Again, Mr. Ryals listed more detailed questions. At one point, Chairman Barraclough questioned him about an accusation he had made.

Rep. Rydalch stated that this testimony pointed out a problem, and she would like to leave his questions in the hands of those with the authority to deal with them. She directed Ms. Echeverria to address these concerns and get answers. She asked her to reply by letter to this committee with the results as well as with information about William Von Tagen's reply to some of these questions.

Chairman Barraclough asked if Ms. Echeverria would coordinate with Mr. Von Tagen. Ms. Echeverria agreed. Mr. Ryals thanked the committee.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned at 9:45 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 23, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:04 AM. He referred the committee to the minutes before them for March 16 and March 21, 2005.

MOTION: **Rep. Mathews** moved to approve the minutes for March 16 as amended. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approve the minutes for March 21 as written. The motion carried by unanimous voice vote.

RS15197 **Applies Value Indices, Shifts Bond Levy Equalization to Permanent Building Fund**

Rep. Bedke introduced the son of H349–RS15197. This routing slip offered the following substantive changes:

1. Line 18 of the legislation changed the cutoff date for bonds to January 1, 2006 allowing districts to calendar bond elections for this fall and remain under the old subsidy program.
2. Lines 35-41 of the legislation were altered to empower the State Controller's Office to annually transfer required funds for payments authorized by the bond levy equalization support program to be transferred from the permanent building fund into the bond levy equalization fund. It also continuously appropriated such support.

He acknowledged that the source of funds were still questionable, but this enabled dollars in the public school budget to be used for classroom support, not constructing and maintaining buildings.

Rep. Wills asked what was the source of the money in the permanent building fund? **Rep. Bedke** replied that dollars came from many sources as defined in Idaho Code. **Rep. Wills** then inquired if any was from the general fund? **Rep. Bedke** said some may be passed through from other accounts.

Rep. Cannon inquired about the permanent building fund handling this expenditure? **Rep. Bedke** replied that the funds might be delayed a year

while resources were allocated. He noted that if lottery funds were to be used, it was best to designate those lottery dollars in the permanent building fund.

Rep. Mitchell questioned if the permanent building fund lacked dollars, would the bond subsidy be threatened? Rep. Bedke asserted that they were allocating scarce dollars no matter which budget category they used. He believed the permanent building fund could accommodate this expenditure better than the public school budget could. He proceeded to explain four district examples comparing the bond subsidy per year with the lottery distribution per support unit. The figures demonstrated that most districts fared better receiving the lottery distributions.

Chairman Barraclough stated that this RS transferred the lottery dollars to the permanent building fund and protected the public education fund; it alerted educators and others that this subsidy would become a large problem in the future. He asked what would happen if this bill was not passed? Rep. Bedke explained that the state had obligated itself to a huge bill that might amount to nearly \$231M total or about \$25M per year under the old program.

Rep. Boe asked what would happen to the 10%? Rep. Bedke pointed out that the 10% benefit would expire at midnight on July 1, 2005.

Rep. Rydalch inquired if the school boards had been informed about this RS and if a full hearing were necessary? Rep. Bedke replied that a full hearing was up to this committee. He had talked with their representatives, and he assumed they agreed.

MOTION:

Rep. Rydalch moved to correct the date on line 18 in the RS and in the statement of purpose to read "January 1, 2006" and to introduce RS15197.

Committee discussion followed acknowledging incorporation of their concerns in H349, the preference to have the bond levy equalization seated in the permanent building fund, and questions about legislative timing to get this bill through the senate. Rep. Bedke added that the numbers spoke for themselves and he felt there was a compelling case for this bill to be heard. Rep. Mitchell added that even without action, the impact would be delayed until 2007 allowing JFAC time to react. Rep. Rydalch said if the committee wished, she was willing to send this bill directly to the second reading calendar provided the lobbyists present were allowed to speak.

Mike Friend, Idaho Association of School Administrators, explained that he had discussed this bill with Rep. Bedke. The association felt this bill extended the time for districts to pass bonds, limited the number of districts hurt financially, and reaffirms the state's policy that the State of Idaho would continue to be involved in funding school buildings through the permanent building fund.

Janet Orndorff, Idaho School Boards Association, affirmed that their concerns had been addressed in RS15197. They felt moving the bond levy subsidy into the permanent building fund was a huge help to school

districts.

**REVISED
ORIGINAL
MOTION:**

Rep. Rydalch changed her original motion. She moved to correct the date on line 18 in the routing slip and in the statement of purpose to read "January 1, 2006," then to introduce RS15197C1 and to refer the bill to the second reading calendar with a DO PASS recommendation. The motion carried by unanimous voice vote.

**COEUR D'ALENE
TRIBAL EFFORTS
IN EDUCATION**

Norma Peone, Coeur d'Alene Tribal Council Member, talked about the tribe's gaming and their priority to support education. Initially, the tribe dedicated 5% of the net annual gaming profits for needs of the community and schools in northern Idaho. They provided additional funds without "strings" to libraries, North Idaho College, museums, Troy High School and more. Their contributions have summed nearly \$6.3M to date.

In addition, the Tribe gave more than 25% of the gaming revenue to their people. The rest of their profits went to support community projects, such as \$700,000 to construct the Learning Center, which serves Indian and non-Indian children; Wellness Center in Plummer, and early learning programs, mentoring, and recreational activities for youth. The casino also provided higher education scholarships for employees and area high school students, helping many graduate from college with bachelors' and masters' degrees. The Tribe had contributed nearly \$2.5M for education of the Coeur d'Alene people.

Chairman Barraclough inquired how they succeeded in retaining their students in college? Ms. Peone admitted that they did not always succeed, but they discovered that students who attended a junior college first were more likely to complete their college education at the larger universities later. She believed that graduating from a very small school then jumping into a large university was a shock and very problematic.

Rep. Boe asked if they received any state money for their schools? Ms. Peone said they did not to her knowledge.

Rep. Mitchell inquired about the boundaries of the Coeur d'Alene nation, how many members and what else they did in Plummer? Ms. Peone described their boundaries extending from the Canadian border south to the river into Washington state and east into northeast Montana. They had about 1300 members to date, a growth since establishment of gaming and its contributions toward community benefits in education, the health clinic and services, plus community activities.

Rep. Rydalch asked about the drug use among the Coeur d'Alene people? Ms. Peone said that they recognized that undesirables followed the dollars. They have had some frightening things with meth labs, but they now have nine tribal police officers compared to one and one-half in the past.

Rep. Trail wondered if they had a plan for donations? Ms. Peone replied that they had no specific plan in the past, but now they asked for proposals by schools and others to define their needs. This enabled the tribe to place their contributions wisely.

Rep. Henderson asked what was the deadline to apply for the mentoring program funding in Kootenai County? Ms. Peone did not know yet; she offered to contact him later.

Rep. Chadderdon recalled that the Tribe did more than donations; they also offered the casino for charity benefits and family events. Ms. Peone agreed that they did make the facility available for individuals to hold raffles, benefits, and other activities.

Noting the time, **Chairman Barraclough** asked Rep. Wills if he would present to the committee on the following day. Rep. Wills agreed.

Chairman Barraclough then updated the committee on progress of HCR20 and H315 in the Senate. Some discussion ensued about the ramifications of HCR20 passing without H315. He advised that if H315 failed, he felt obligated to renegotiate with the Idaho School Boards Association (ISBA) since the two bills were a package deal. The committee agreed that the Chairman should discuss options with Dr. Green, ISBA.

Further, Chairman Barraclough explained that the committee was holding S1019 waiting for a possible replacement bill, S1170, which they needed to hear first, if it passed the Senate. Initiated by the State Board of Education, S1170 addressed some errors in the charter school laws.

Rep. Nielsen suggested that the committee send a sympathy card to Dr. Hoover acknowledging the loss of his wife. All agreed.

ADJOURN: There being no further business before the committee, Chairman Barraclough adjourned at 9:45 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 24, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Shepherd (8)

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:04 AM. He thanked Rep. Trail for the sympathy card for Dr. Hoover, which the committee members each signed.

S1160 Scholarship / Dependent / Armed Forces

Sen. Burkett stated the genesis of this bill came from Ada County constituents who felt that the State of Idaho should recognize the sacrifice of military families whose family member died in active service in Iraq and Afghanistan. This bill extended scholarships to spouses as well as dependents paralleling the benefits of those who served in southeast Asia and Korea. He believed this was a small step to support families when a death occurred. He summarized the changes in statute as follows:

1. Changed child to read "dependent," thus including spouses
2. Added military personnel serving in Iraq and Afghanistan
3. Extended the scholarship period to ten years after earning a high school diploma
4. Set Office of State Board of Education (OSBE) to manage scholarships reviewing eligibility
5. Estimated future budget impact at \$5,100 per student per year of scholarship; expected annual impact to the general fund at approximately \$23,000 for each Idaho casualty

Sen. Burkett acknowledged veterans, American Legion members, Veterans of Foreign Wars, and an Idaho Veterans Affairs Office who attended the hearing in support of this bill.

Chairman Barraclough pointed out that this committee was the only one in the Idaho Legislature that hosted three World War II veterans: Representatives Henderson, Mitchell and himself.

Rep. Boe inquired what qualified as subsistence? Sen Burkett answered that it included housing and food on campus. Rep. Boe then asked if the individual lived off campus, did they receive subsistence funds? Sen. Burkett said that once an individual was qualified to receive the scholarship, they were entitled to subsistence dollars whether they lived on or off campus. Rep. Boe then asked how much was allotted for

subsistence? Sen. Burkett replied that he did not know individually; the universities normally allocated between \$4,800 - \$5,400 per year for their students.

Rep. Mitchell questioned if the death had to occur in Iraq or Afghanistan to qualify? Sen. Burkett responded that individuals qualified if the federal government determined them to be a prisoner of war or missing in action or to have died of injuries or wounds sustained in action in those countries. Rep. Mitchell pointed out that guardsmen were located all around the state and their easiest access would be at a college rather than at the OSBE. Sen. Burkett qualified the bill saying the application must reach OSBE, but the individual may initiate the application through any college or university, which would forward the application to OSBE.

Rep. Trail asked if Idaho previously provided any specific scholarships for military spouses in the case of death? Sen. Burkett replied that he was not aware of any.

Rep. Kemp queried if the word "dependent" was defined anywhere in the statutes and if it needed to be defined for this purpose? Sen. Burkett acknowledged various definitions of dependent: military; Internal Revenue Service. He was not sure if there was a definition in Idaho Code.

Rep. Nielsen stated that this was a noble thought. He explained existing benefits for military families in the event of active duty death. Sen. Burkett again acknowledged several other benefits for military service people who died in action, but Idaho provided little death benefits for families of Iraq and Afghanistan military personnel.

MOTION:

Rep. Mitchell moved to send S1160 to the floor with a DO PASS recommendation.

Rep. Trail urged the Veterans Administration to keep a close watch on services for dependents of deceased military personnel because many were unaware of services and lacked financial management skill to help themselves.

Similarly, **Rep. Henderson** pointed out that every Idaho county had a veterans' service office where these military dependents could get assistance.

Steve Edgar, retired Air Force pilot, expressed support for S1160.

By unanimous voice vote, the committee approved the motion to send S1160 to the floor with a DO PASS recommendation. Representatives Henderson and Boe would sponsor the bill on the floor.

PRESENTATION:

Controlling Your voting Debate

Rep. Wills said that he wished to share some tools of communication to help Representatives rise above the emotions and frustrations experienced in debates. These were self-help ideas to minimize collateral damage from just one person during a debate. Many failed to think about how just one comment would effect everyone. He emphasized one's

attitude as the most important component of life, because it was the only thing that individuals could control. He cautioned committee members about anger, which made their mouths work faster than their brains; a potentially devastating result on the debate floor. Also, he warned them about name calling or labeling; both destroyed rapport with others.

Rep. Wills explained that if you changed the dynamics of words, you could influence the results. During a debate, or even a conversation, he recommended paying close attention to the following:

- Do you interrupt? Interruptions dissuade positive debate.
- Do you make statements too long or too short? The length of your statements in debate can force your audience to stop listening or leave them uncertain.
- Do you overwhelm your audience with details? The amount of information that an individual can absorb at a given time is limited.
- Do you use slang or too formalized speech? Use language that is appropriate to your audience and situation, and especially avoid “dark humor” which injects hurtful comments masked with laughter.
- Do you keep eye contact? Fifty-five percent of communication is non-verbal.
- Do you take turns during a conversation? Engaging in conversation often requires more listening than talking.
- Do you watch body language? Emotions are visible in the redness of skin or gestures of the limbs, torso or head.

Rep. Wills summarized four types of people: rejected; controversial; ignored; and popular. The first three categories needed to be avoided to be a successful “con-tact” (with skill) debater. He reviewed fifteen do’s and don’ts of debate (attached). Then he flagged danger areas in debate:

- Don’t let someone push your buttons
- Don’t label, stereotype, call names or insinuate wrong doing
- Don’t over react with anger or retaliatory words
- Don’t let the crisis of the moment govern your reactions

Concluding, Rep. Wills identified the ABC’s of triggers: A = Attitude; B = Behaviors or standards set for ourselves; and C = Consequences (If A & B were good; good results followed.)

Rep. Boe questioned how a representative in the back row could maintain eye contact with representatives seated before them? Rep. Wills suggested watching body language, such as head and shoulder movements as clues. Rep. Boe then asked about a communication when someone was working at their computer? Rep. Wills replied that they may be listening at first, but eventually, they would tune you out. So, watch for that subliminal message to stop a conversation.

Rep. Trail appreciated the presentation and offered that it would be a sound part of legislators’ orientation each year. Rep. Wills said that he had talked with Carl Bianchi about adding this information.

After a short exchange of experiences by committee members that were related to the presentation, Chairman Barraclough announced that the committee would meet again on Monday at 9:00 AM.

ADJOURN: There being no further business before the committee, Chairman
Barracclough adjourned the meeting at 9:40 AM.

Representative Jack Barracclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 29, 2005

TIME: 9:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** Representative Nonini

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 9:02 AM. He referred the committee to the minutes for March 22, 23, and 24 for review.

MOTION: **Rep. Wills** moved to approve the minutes for March 23 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Nielsen** moved to approve the minutes for March 24 as written. The motion carried by unanimous voice vote.

MOTION: **Rep. Wills** moved to approve the minutes for March 22 as written. The motion carried by unanimous voice vote.

Rep. Rydalch alerted the committee about an informal poll of school board trustees by Cliff Green, Idaho School Boards Association. The poll ("Driver Training Legislation," attached) asked if there were any unresolved issue with the public school driver manual in public schools.

S1170a Public Charter School Law / Visions

Karen Echeverria, representative for the Idaho Charter School Commission, highlighted the major changes as presented in S1170a. This legislation included clean-up language changing "grant" to "approve" and "reject" to "deny" to be consistent with other language in the chapter, plus two major amendments, as follows:

1. Extends the time frame from 30 to 60 days in which petitions might be heard, plus an additional 60 days by the Commission to make a decision on the petition for a new charter school.
2. Allows transfer of a charter school between the Commission and local school district so long as all three parties were in agreement with the transfer.

Rep. Boe asked how the agreement for a transfer worked? Ms. Echeverria replied that all three—the local school district, charter school and the Charter School Commission—must agree before a charter school would be transferred to or from a local school district. Rep. Boe asked what would happen if the local district disagreed? Ms. Echeverria said

that the charter school would not be able to transfer.

Rep. Trail questioned if the Charter School Commission might become overloaded with charter schools under their purview? Ms. Echeverria replied that the Commission preferred local oversight, and they were researching liability issues to place local school districts at ease for future transfers to local control.

Rep. Boe inquired why would a charter schools bother to seek approval from the local district when they could go directly to the Commission for approval? Ms. Echeverria responded explaining several levels of approval, including appeals from the local to the State Board levels. She assured the committee that the Commission did not grant blanket approvals of petitions for new charter schools. **Rep. Rydalch** affirmed the absence of blanket approval by describing the Commission's denial of a charter school in her district.

Rep. Cannon explored the return of assets to the local chartering entity. Ms. Echeverria explained that if a charter school failed for any reason, the assets would return to the entity under which it was chartered: local district or Commission. The assets would remain in the public school funds.

Rep. Nielsen questioned if a charter school transferred, were would the assets go? Ms. Echeverria responded that the assets would go to the local district.

Jan Sylvester, Meridian School District patron, opposed S1170A. She cited the following shortcomings:

- Management of dual enrollment
- Resolution of disputes regarding the provisions of a charter
- Unequal review periods allowed for local districts as compared to the Commission
- Confusing citations regarding home-based public virtual school and the independence of charter school employees
- Disparity in changing "grant" to "approve"
- Uncertainty about funding a backlog of approved charter schools and the potential for litigation for funding

Chairman Barraclough inquired about Ms. Sylvester's position on this bill, the number of days to approve a school, and future improvement of petitions? Ms. Sylvester answered that she opposed S1170a, agreed with the longer time frame for approval of a petition and was uncertain about the quality of future petitions.

Rep. Trail asked Ms. Echeverria to respond to some of the shortcomings mentioned by Ms. Sylvester? Ms. Echeverria stated that the amendment required charter schools to establish a process for dual enrollment. This would help guide parents and students through dual enrollment procedures, which varied widely among districts. She said this bill applied existing code to dispute resolution making charter schools follow the same standards as traditional schools. Regarding the unequal review periods, she explained the travel time required for Commission members exceeded that necessary for local district personnel to review petitions.

Rep. Cannon probed if there were more charter schools being approved per year than currently authorized? Ms. Echeverria replied negatively, however, they anticipated approving more in the future. In conjunction with the intent language of JFAC regarding petition deadlines, funding of approvals would be adjusted annually.

Rep. Mitchell inquired if JFAC could find funding sources for schools? Ms. Echeverria did not know. Chairman Barraclough recalled trying to increase the number of approved charter school petitions per year to 12, but JFAC steadfastly held to six. He believed that JFAC would adequately handle the number of charter schools and budget demands.

Chairman Barraclough encouraged Ms. Sylvester to influence the Nampa School Board regarding the \$1,000 participation fee for football for charter school students. He asked if she felt that was fair? Ms. Sylvester remarked that was not part of this legislation, however, she felt parents choose to enroll their child in activities, they should comply with the fee structure of that district. Chairman Barraclough commented how many did not realize that charter schools were public schools. Ms. Sylvester voiced a final concern about assets during dissolution of a charter school.

Bridget Barrus, President of the Coalition for Idaho Charter School Families, supported S1170a claiming that it reflected hands-on experience with charter school issues. She acknowledged the role of authorizing entities, harmonious relationships with many local districts, and provisions in the bill requiring the charter school's petition to address dual enrollment, as well as open enrollment. She recounted that charter schools did not receive local property tax dollars, and the charter schools did not ask for any accountability for those funds.

Rep. Boe asked Mike Friend for his opinion on this bill? Mike Friend, Executive Director of the Idaho Association of School Administrators, replied that the association had no official position, but they did not oppose the bill.

MOTION:

Rep. Rydalch moved to send S1170a to the floor with a DO PASS recommendation.

Rep. Cannon wished to be on record that he was concerned about future financial liability for charter schools, which were estimated to cost average \$250,000 per year, and the number of new petitions continuing to be approved. He feared that it may become a funding nightmare like the bond equalization issue.

Chairman Barraclough appreciated his comments and admitted struggling with this debate when traditional schools cost about \$500,000 for an elementary school, \$1M for a junior high and \$2M for a high school.

Rep. Trail also supported Rep. Cannon's concern, yet he felt S1170a had more than enough redeeming qualities to merit passage. He hoped this committee would continue to work closely with the State Board and Charter School Commission to address concerns voiced during this meeting. **Chairman Barraclough** agreed that the legislative role was to adjust past mistakes, and he believed all parties would work together to

make charter schools effective.

Rep. Boe questioned the area of attendance around a charter school? Ms. Echeverria replied that the charter itself defined the attendance parameters. Rep. Boe queried as to how a charter would reflect the diversity of a school district? Ms. Echeverria said they could; it dealt with the lottery for enrollment. Chairman Barraclough reminded the committee about their visit to Owyhee School where open enrollment encouraged more pupil enrollment. He added that traditional districts also competed for the same students, i.e., Meridian and Boise School Districts.

Rep. Mitchell requested the record to show that he opposed S1170a, because it was the first major piece of legislation regarding public education about which local superintendents, school boards and administrators did not voice an opinion.

Rep. Rydalch commented that she interpreted the golden essence of silence to indicate no objection.

Chairman Barraclough called the question; the motion to send S1170a to the floor with a DO PASS recommendation carried by voice vote. Rep. Mitchell requested recording his vote as "nay."

ADJOURN:

Chairman Barraclough noted that the Senate had two bills on the third reading calendar and one on the amending calendar. He announced that future committee meetings were subject to call of the chairman.

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:56 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary

MINUTES

HOUSE EDUCATION COMMITTEE

DATE: March 31, 2005

TIME: 8:00 AM

PLACE: Room 406

MEMBERS: Chairman Barraclough, Vice Chairman Rydalch, Representatives Trail, Bradford, Block, Cannon, Nielsen, Shirley, Wills, Chadderdon, Henderson, Kemp, Mathews, Nonini, Shepherd (8), Boe, Mitchell, Pence

**ABSENT/
EXCUSED:** None

GUESTS: Please see attached sign-in sheet; speakers are check/highlighted.

CONVENE: **Chairman Barraclough** called the meeting to order at 8:05 AM. He asked the committee to review the minutes for March 29, 2005.

MOTION: **Rep. Wills** moved to approve the minutes for March 29 as written. The motion carried by unanimous voice vote.

S1147a Teachers, Limited one Year Contract

Sen. Burkett explained three categories of contracts: 1) one year only; 2) a one year contract for teachers who transfer from one district to another; and 3) an ongoing, permanent appointment contract. He talked about how the current law evolved providing for the category-one contracts for teachers hired during the fall. In some districts, other forms of hiring resulted with up to 40% of the newly hired teachers being category-one contracts. The original S1147 had three provisions in which the category-one contract was allowed; the amended bill provided six.

The amendments to S1147 took into account concerns voiced by school administrators. The amended bill allowed category-one contracts for the following conditions to fill a certified position vacancy created by:

1. Leave of absence;
2. Resignation or retirement after August 1 of a school year;
3. Emergency situations in which the certified person was expected to return at a future date;
4. New position was created due to unanticipated student enrollment increases;
5. School district certified to the State Department of Education (SDE) that they had insufficient pool of qualified candidates for position(s); and
6. Other reasons as approved by the State Department of Education.

Rep. Rydalch stated her concern that this bill would invite litigation since it did not define "emergency." She also objected to the limitation of local control and the shifting of duties and responsibilities from the local districts to the SDE. **Sen. Burkett** replied that the bill defined the emergency conditions. He stated that district administrators were satisfied

with these amendments. Further, he did not know of any law suits related to category-one contracts.

Rep. Kemp inquired how this related to the mentoring issue? Sen. Burkett answered that both bills applied to new teachers, but the category-one issue also applied to senior teachers who changed districts with job changes.

Rep. Nonini asked for some examples of “other reasons?” Sen. Burkett responded that this was intended to cover those situations that could not be predicted. Rep. Nonini inquired if any examples were discussed in the Senate? Sen. Burkett said that no other reasons were revealed; this provided flexibility to the districts.

Rep. Nielsen queried if the underlined language was accurate? Sen. Burkett agreed. Rep. Nielsen expressed confidence in local school boards to hire the best teachers possible and appropriately apply existing statutes. Sen. Burkett believed that the vast majority of districts did apply the true intent of the law, however, this guided those who were not using this type of contract appropriately. Rep. Nielsen commented that if a district was having that problem, should not the local patrons and school board straighten things out? Sen. Burkett replied that this was a policy question: did the Legislature want laws with adequate definition to tell school boards what to do or leave it open ended?

Rep. Mathews expressed concern about the “other reasons” section of the amendments. He asked why that was added? Sen. Burkett replied that districts who had other reasons needed to get approval from the SDE.

Rep. Kemp asked if Idaho teachers were employees of the local district or the State of Idaho? **Jana Jones**, SDE, answered that teachers worked for the local school districts as public employees. Therefore, some laws governing public employees applied to them as well. Rep. Kemp questioned if this bill was enlarging the state’s purview of employees? **Mike Friend**, Idaho Association of School Administrators (IASA), replied that teachers were employed by the local board, yet existed as a sub-branch of the state system regarding retirement through the Public Employees Retirement System of Idaho (PERSI). Legislation often affected teachers. Rep. Kemp then queried if teachers were district employees, why was the legislature addressing contractual issues on a state level? Dr. Friend stated that the way districts’ contracted with teachers was governed under state law.

Rep. Mitchell added that teachers operate under contracts, state employees did not. The state developed laws that impact contracts, not state employees where no contract existed.

Rep. Henderson probed about who initiated this bill? Sen. Burkett answered that it was initiated by teachers who had repeatedly received category-one contracts. He added that the State of Idaho governed contracts over teachers because the state held responsibility for the education of Idaho’s youth.

Rep. Mitchell asked if there was any opposition in the Senate by the school boards about S1147a? Sen. Burkett said that there was by school administrators and boards. That was why the amendments were added.

Jim Shackelford, Idaho Education Association, expressed support of S1147a.

Rep. Rydalch asked how many law suits had been filed in the last five years regarding category-one contracts? Mr. Shackelford answered that there were none to his knowledge. Rep. Rydalch repeated the question to Mr. Green. **Cliff Green**, Idaho School Boards Association, replied that there was over \$3M in law suits total, but he was not aware of the breakout for category-one contracts. Rep. Rydalch queried if districts needed these definitions and if it reduced flexibility? Mr. Green concurred that this bill definitely set how districts might use contracts and it did limit flexibility.

MOTION:

Rep. Mitchell moved to send S1147a to the floor with a DO PASS recommendation.

Rep. Wills supported the motion stating an example in his legislative district in which the category-one contract was abused to retain a teacher who caused considerable damage among students in their mathematical understandings.

Rep. Trail questioned the percentage of suits in the \$3.5M that were other than teacher initiated ones? Mr. Green did not know; he corrected the dollar amount to be \$3,005,000.

**SUBSTITUTE
MOTION:**

Rep. Rydalch moved to hold S1147a in committee.

Rep. Cannon asked if the category-one teachers were not required to fulfill the highly qualified teacher standard? Mr. Green answered that category-one teachers must be highly qualified to be hired after 2006. He supported the amended bill.

Rep. Nielsen quizzed if Mr. Green had heard anything from the school boards? Mr. Green answered negatively; he said that his office was split on support of this bill.

Rep. Nonini favored the substitute motion as he was troubled with the "other reasons" amendment. He preferred to leave the control with the local districts.

Chairman Barraclough called the question. After uncertainty about the voice vote, **Rep. Rydalch** asked for a roll call vote.

The substitute motion to hold S1147a in committee failed with 8 "ayes," 10 "nays" and no absent or excused. The votes were recorded as follows:

Ayes = Chairman Barraclough, Representatives Rydalch, Nielsen, Chadderdon, Henderson, Mathews, Nonini, Shepherd

Nays = Representatives Trail, Bradford, Block, Cannon, Shirley, Wills,

Kemp, Boe, Mitchell, Pence

Absent/excused = none

The original motion to send S1147a to the floor with a DO PASS recommendation carried with 10 “ayes,” 8 “nays” and no absent or excused. The votes were recorded as follows:

Ayes = Representatives Trail, Bradford, Block, Cannon, Shirley, Wills, Kemp, Boe, Mitchell, Pence

Nays = Chairman Barraclough, Representatives Rydalch, Nielsen, Chadderdon, Henderson, Mathews, Nonini, Shepherd

Absent/excused = none

S1173a

School District Employee, Sick Leave

John Watts, advisor for the Idaho School Boards Association (ISBA), introduced this amended bill with full support of ISBA. The bill came about as a result of litigation in Preston, in which the court challenge went to the Idaho Supreme Court. The supreme court ruled that a part-time, non-certified employee was entitled to one day of sick leave benefit for each month worked regardless of the number of hours worked per week. This bill amended Idaho Code 33-1216 to provide that only certificated and non-certificated employees of any school district or charter school district who regularly worked twenty (20) hours or more per week would be entitled to one (1) day of sick leave. It also provided that such sick leave would be proportionate according to their individual employment contracts for certificated employees or average hours worked per day for non-certificated employees.

Mr. Watts pointed out that ISBA was concerned about a potential class action suit if the ruling applied to all districts, because there was great variety among districts regarding how the current law was interpreted and applied. Also, ISBA preferred to align the sick leave policy with that used for state employees and by many private sector employers.

Therefore, ISBA supported the amended S1173, which provided for sick leave to employees who worked over 20 hours a week and proportioned that sick leave according to the hours worked per week between 20-40 hours. Mr. Watts explained that the bill loaded the sick leave days in the front-end of a employment year. ISBA accepted this benefit because they felt it best to allow sick leave to help keep sick employees out of school.

Rep. Kemp queried why line 11 of the amendment added “as defined in their individual employment contracts?” Mr. Watts replied that non-certificated employees did not work under contracts; this bill applied to non-certificated employees as well as certificated employees.

Rep. Nonini inquired what half-time meant in hours? Mr. Watts responded that half-time meant half of the normal hours worked in a week, regardless of the number of hours for certificated employees. Rep. Nonini then asked if there were cases in which teachers worked less than

20 hours a week and qualified for sick leave? Mr. Watts agreed saying that with this bill, certificated employees remained eligible, but the sick leave would be proportionate to their hours; the non-certificated employees would not be eligible if they worked less than 20 hours per week. Rep. Nonini then questioned if prior to this amendment, a non-certificated employee, according to the Idaho Supreme Court ruling, would be able to collect sick leave while working less than 40 hours per week? Mr. Watts said that was true.

Rep. Trail asked for a clarification of the certificated 20-hour week and PERSI 20-hour week statute? Mr. Watts replied that the Attorney General's office referenced PERSI participation of district employees and Idaho Code 59-1303, which set the PERSI definition of an employee to mean a person who normally worked 20 plus hours per week or teachers who worked half-time.

Mike Friend, IASA, testified that the association supported S1173a because it clarified the intent of a 30 year-old law, which did not intend to extend sick leave benefits to everyone, as the court had interpreted.

Rep. Nonini wanted to know if this was taking a bad statute and making it less offensive? Dr. Friend replied that they had worked with this statute for years, but this bill would clarify the law and avert the broad ruling of the court.

Rep. Shirley asked what sick leave did a bus driver actually receive? Dr. Friend responded that if the driver worked less than 20 hours a week, the driver would get no sick leave benefit.

Rep. Bradford added that this issue originated in his legislative district. Since the law was not specific, districts were applying sick leave benefits differently. Bus drivers compared their benefits between districts and the litigation resulted. The law needed to be clarified; S1173a does that.

Jim Shackelford, IEA, said that IEA supported the supreme court's decision on sick leave and worked to amend S1173. That said, he then said that IEA opposed S1173a because the primary employees to be impacted were classified (non-certificated) employees who worked for low wages. He felt that they deserved the benefit of sick leave to protect others at school from illness. He explained that the total cost of \$800,000-\$1.2M was calculated on every employee in all districts taking sick leave in a year; he felt that highly unlikely.

Rep. Nonini commented that there was no good answer. Originally this was bad legislation, and it remained bad no matter what they did.

Rep. Nielsen asked if this bill were held in committee, then would the supreme court ruling grant non-certificated employees sick leave proportionately? Mr. Shackelford replied affirmatively.

Rep. Shirley questioned if under the present law, would that be proportionate or full benefit? Mr. Watts replied that the current law entitled them to a full day for each month; this bill would make it proportional to the hours worked. Some discussion ensued about the difference between

full day or proportionate day of sick leave.

MOTION: **Rep. Cannon** moved to sent S1173a to the second reading calendar with a DO PASS recommendation. The motion carried by voice vote.

Chairman Barraclough assigned Representatives Trail and Bradford, plus Rep. Loertscher at Rep. Trail's request.

SCR119 Higher Education, Sustainability

Kathryn Whittier, University of Idaho student, defined sustainability as creating community-based economic and social connections while maintaining environmental quality without depleting natural resources for future generations. This resolution began on the University of Idaho campus to conserve natural resources. She stated that 40 different countries were involved in sustainability programs, and they wanted Idaho to embrace this concept.

Rep. Trail asked if there was any opposition to this resolution in the Senate/ Ms. Whittier replied that there was none.

Rep. Nielsen asked if this applied to plant and animal harvesting? Ms. Whittier said that it was about forestry and farming too.

Rep. Nonini questioned if this opposed mining? Ms. Whittier said that it did not. It encouraged environmentally sound methods of mining to reduce negative impacts, such as erosion. Rep. Nonini commented that he did not know of any mining operation that did not already apply conservation measures in accordance with EPA guidelines.

Rep. Shirley stated that he favored the resolution, however, he felt that it would have been better to address all Idaho universities rather than just the University of Idaho in lines 31-33. Rep. Trail pointed out that lines 2-3 softened that oversight.

MOTION: **Rep. Mitchell** moved to send SCR119 to the second reading of the floor with a DO PASS recommendation. The motion carried by voice vote.
Chairman Barraclough assigned Rep. Trail to sponsor the bill on the floor.

Rep. Kemp inquired if they had another bill coming? Chairman Barraclough brought up H315 with its amendments in the Senate, and he asked Mr. Green to explain. Mr. Green said H315 would probably come to the House floor with amendments. He knew of no other bills.

Rep. Boe commented about the debate on H375. She wondered if it was going to be defeated in Senate State Affairs due to too much money being taken away from the permanent building fund and the fact that the House had not provided a revenue source.

Chairman Barraclough thanked the committee's page, Jenna Ryan, and presented her with a gift and card. Then he expressed gratitude for the committee's new secretary who had served four years in JFAC, Kathy Ewert. He remarked about her superior performance, efficient scheduling

and thorough follow-up of details for the committee. The committee presented her with a gift and card as well. Chairman Barraclough then invited all to a small sine die festivities for the committee.

ADJOURN:

There being no further business before the committee, Chairman Barraclough adjourned the meeting at 9:45 AM.

Representative Jack Barraclough
Chairman

Kathy Ewert
Secretary